

**SS.7.C.3.12**

Analyze the significance and outcomes of landmark Supreme Court cases including, but not limited to, *Marbury v. Madison*, *Plessy v. Ferguson*, *Brown v. Board of Education*, *Gideon v. Wainwright*, *Miranda v. Arizona*, *In re Gault*, *Tinker v. Des Moines*, *Hazelwood v. Kuhlmeier*, *United States v. Nixon*, and *Bush v. Gore*.

**SS.7.C.3.12 Benchmark Clarification 1:** Students will use primary sources to assess the significance of these U.S. Supreme Court cases.

There have been several **landmark** U.S. Supreme Court **judicial opinions** that have significantly impacted American society and government. The landmark Supreme Court cases reviewed here are related to the protection of American civil liberties

| Landmark Supreme Court Cases<br>(related to civil liberties) |  | Primary Sources  |
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| Case   | Significant Details  | Passages from the Court Opinion<br>Linked to the Significance of the Case  |
| <b><i>Gideon v. Wainwright</i><br/>(1963)</b>                | Clarence Gideon was arrested and charged in a Florida court for breaking and entering. He was unable to afford a lawyer, and the court refused to appoint a lawyer for him. Gideon was forced to defend himself in court, and the jury found him guilty. In his appeal to the Supreme Court, Gideon said that the lower court <b>violated</b> his 6 <sup>th</sup> Amendment right, which says the accused has the right to a lawyer. He also said his rights in the <b>Equal Protection Clause</b> of the 14 <sup>th</sup> Amendment had been violated. The 14 <sup>th</sup> Amendment says that states must apply the law equally and cannot <b>discriminate</b> against citizens or groups of citizens. The Supreme Court ruled in favor of Gideon and said that states must provide a lawyer for accused people who can't afford one. | "Lawyers in criminal courts are necessities, not luxuries."  |
| <b><i>Miranda v. Arizona</i><br/>(1966)</b>                  | The state of Arizona tried Ernesto Miranda for kidnapping and found him guilty. When he was arrested, the police questioned him about the charges without telling him he had the right to remain silent or the right to speak with an attorney. Miranda appealed his conviction to the Supreme Court. He said the police violated his rights under the section of the 5th Amendment that protects the accused from <b>self-incrimination</b> . The Supreme Court ruled in Miranda's favor and said his rights had been violated. Police must now use the "Miranda warning" when they arrest people to tell them what their rights are.   | "The prosecution may not use statements ...from questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom of action in any significant way, unless it demonstrates the use of procedural safeguards effective to secure the Fifth Amendment's privilege against self-incrimination." |
| <b><i>Tinker v. Des Moines</i><br/>(1968)</b>                | John Tinker, his sister Mary Beth Tinker, and other students decided to wear black armbands to school to protest the Vietnam War. The school said students could not wear armbands. The students refused to remove their armbands and were suspended. The Tinkers said that school officials violated their 1 <sup>st</sup> Amendment right to freedom of speech. The Supreme Court ruled in favor of the Tinkers.   | "In wearing armbands, the petitioners were quiet and passive. They were not disruptive, and did not impinge upon the rights of others. In these circumstances, their conduct was within the protection of the Free Speech Clause of the First Amendment and the Due Process Clause of the Fourteenth."   |

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| <b><i>United States v. Nixon</i> (1974)</b>                  | In 1972, the offices of the Democratic National Committee in Washington D.C. were broken into. During the criminal investigation, a federal judge ordered President Nixon to turn over audiotapes of conversations about the break-in. Nixon refused, saying that <b>executive privilege</b> (the belief that conversations between the president and his aides should remain private) allowed him to keep the tapes. The United States government prosecuted President Nixon and asked the Supreme Court to order him to turn over the tapes. The Supreme Court ruled that Nixon had to turn over the tapes.   | “Neither the doctrine of separation of powers nor the generalized need for confidentiality of high-level communications, without more, can sustain an absolute, unqualified Presidential privilege of immunity from judicial process under all circumstances.”  |
| <b><i>Hazelwood School District v. Kuhlmeier</i> (1987)</b>  | Students of Hazelwood East High School wrote a school-sponsored newspaper. The school principal removed two articles from one issue of the paper because he said they were inappropriate. Cathy Kuhlmeier and two other students took the case to court because they believed the principal violated their 1 <sup>st</sup> Amendment rights of freedom of the press. The Supreme Court ruled in favor of the school district, saying the principal has the right to make decisions that keep the school safe and orderly.   | “First Amendment rights of students in the public schools are not automatically coextensive with the rights of adults in other settings, and must be applied in light of the special characteristics of the school environment. A school need not tolerate student speech that is inconsistent with its basic educational mission, even though the government could not censor similar speech outside the school.”                              |
| <b><i>Bush v. Gore</i> (2000)</b>                            | During the 2000 presidential election, Al Gore and George W. Bush were very close in the number of votes they received in Florida. The winner of the Florida election would decide who would become president. Because there were some problems with the ballots in some counties, the Florida Supreme Court required that the votes in those counties should be recounted by hand. Bush asked the U.S. Supreme Court to stop the recount. He said the recount violated the Equal Protection Clause of the 14 <sup>th</sup> Amendment, which says that states must apply the law equally and cannot discriminate against citizens or groups of citizens. In this case, Bush argued that the inequality was because only certain ballots were to be recounted and not all ballots. The Supreme Court ruled in Bush’s favor, and he became president. | “Because it is evident that any recount ... would be unconstitutional under the Equal Protection Clause, the Florida Supreme Court’s judgment ordering manual recounts is reversed. The Clause’s requirements apply to the manner in which the voting franchise is exercised. Having once granted the right to vote on equal terms, Florida may not, by later arbitrary and disparate treatment, value one person’s vote over that of another.” |
| <b><i>District of Columbia (DC) v. Heller</i> (2007)</b>     | The District of Columbia passed a law requiring the registration of handguns, requiring that people get licenses for all pistols, and requiring that all legal firearms be kept unloaded or locked. A group of private gun owners (including Mr. Heller) filed a suit in federal court, claiming the laws violated their Second Amendment right to bear arms. The federal court said the Second Amendment only protected  | “The Second Amendment protects an individual right to possess a firearm unconnected with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home.”  |

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|  | ownership of guns for militias (groups of people who are not part of the military but are trained like soldiers for emergencies, like the National Guard). Heller appealed this decision to the Supreme Court, which ruled in his favor. |   |

**Bush v. Gore** - U.S. Supreme Court case that determined that states cannot violate the Equal Protection Clause under the Fourteenth Amendment when conducting election recounts

**civil liberties** - rights guaranteed by the laws of a country, (i.e., the Bill of Rights)

**discriminate** - to treat a person or group unfairly based on their race, religion, gender, disability, or other reasons

**District of Columbia v. Heller** - U.S. Supreme Court case that upheld that the Second Amendment protects an individual's right to own a firearm

**Equal Protection Clause** - the section of the Fourteenth Amendment that says that states must apply the law equally and cannot discriminate against citizens or groups of citizens

**executive privilege** - the belief that the conversations between the president and his aides are confidential

**Gideon v. Wainwright** - U.S. Supreme Court case that upheld the Sixth Amendment right that all defendants must be appointed a lawyer if they cannot afford their own attorney

**Hazelwood v. Kuhlmeier** - U.S. Supreme Court case that determined that the First Amendment does not protect all types of student speech in school

**judicial opinion** - judgment by a court

**landmark** - an important or unique decision, event, fact, or discovery

**Miranda v. Arizona** - U.S. Supreme Court cases that upheld the Fifth Amendment protection from self-incrimination

**self-incrimination** - the right in the Fifth Amendment that protects a person from being forced to tell the police, prosecutor, judge, or jury any information that might subject him or her to criminal prosecution

**Tinker v. Des Moines** - U.S. Supreme Court case that upheld a student's First Amendment right to engage in symbolic speech in school

**United States v. Nixon** - U.S. Supreme Court case that limited executive privilege

**violate** - to break or to treat with great disrespect