

## LANDMARK DECISIONS OF THE SUPREME COURT

Some cases heard by the Supreme Court have resulted in “landmark decisions” that have had far-reaching effects on American society. They have influenced civil rights, politics, the law, business, government power, freedom of speech, women’s rights, and church and state, among other things. Four such Supreme Court cases are described on these pages. Read about each one, then answer the questions which follow.



### Engel v. Vitale (1962)

#### Background Information

In the 1960s, children in many public schools started each day with a prayer. In New York State, some schools used a prayer written by the Board of Regents before the first class began.

In New Hyde Park, New York, the parents of ten public school children objected to the Regents’ prayer. They brought the first case in the United States on the issue of prayer in the schools. In *Engel v. Vitale*, the parents took the position that the prayer violated the “establishment clause” of the First Amendment. This clause had come to mean that the government could not “force a person to go to or remain away from church against his will, or force him to profess a belief or disbelief in any religion” (Justice Hugo Black in 1947).

#### The Decision

A majority (over half of the nine members) of the Supreme Court agreed with the parents. Justice Black wrote the majority opinion of the court saying:

We think that . . . in this country it is no part of the business of government to compose official prayers for any group of the American people to recite . . .

#### True/False Questions

- (1) \_\_\_\_\_ The parents of ten students in the New Hyde Park school system wanted their children to be able to recite a morning prayer.
- (2) \_\_\_\_\_ The prayer was written by the Board of Regents in New York State.
- (3) \_\_\_\_\_ *Engel v. Vitale* was the first case that dealt with the issue of prayer in the schools.
- (4) \_\_\_\_\_ The Supreme Court decided that the school district could not require students to recite a daily prayer.
- (5) \_\_\_\_\_ The establishment clause of the First Amendment has been interpreted to mean that the government cannot force a person to express their belief or disbelief in any religion.

### Gideon v. Wainwright (1963)

#### Background Information

In June 1961, someone broke into a poolroom in Panama City, Florida, and stole wine, beer, and some small change. The police arrested Clarence Earl Gideon and charged him with the crime. Gideon, an unemployed drifter with a prison record, could not afford a lawyer. The state court refused to appoint one for him. He was found guilty and sentenced to a five-year term in the Florida State Prison.

Gideon read law books in the prison library and concluded that his constitutional rights had been violated. He wrote a letter directly to the Supreme Court. A lawyer was appointed to present his case to the Supreme Court.

### **The Decision**

After listening to both sides in *Gideon v. Wainwright*, the Supreme Court ruled unanimously to reverse Gideon's conviction because he had been denied an attorney. According to Justice Hugo Black, who wrote the court's opinion, a person on trial "who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him."

Gideon was given a new trial with a local court-appointed lawyer. He was found not guilty.

### True/False Questions

- (6) \_\_\_\_\_ At his first trial, Clarence Earl Gideon was represented by a Panama City attorney.
- (7) \_\_\_\_\_ Gideon appealed his conviction on the grounds that he had been forced to testify against himself — a violation of the Fifth Amendment.
- (8) \_\_\_\_\_ The Supreme Court decided in *Gideon v. Wainwright* that a poor person must be given a lawyer in order to be assured of a fair trial.
- (9) \_\_\_\_\_ The outcome of the Gideon case was determined by a 5-4 vote among the Supreme Court justices.
- (10) \_\_\_\_\_ At Gideon's second trial, a court-appointed lawyer helped him win a not guilty verdict.

### **Miranda v. Arizona (1966)**

### **Background Information**

Ernesto Miranda was arrested near Phoenix, Arizona, and charged with kidnapping and assaulting an 18-year-old woman. The victim identified Miranda in a police line-up. After two hours of questioning, the suspect confessed to the crime. The confession was used as evidence to convict him.

Legal questions later arose about whether Miranda had been denied his Fifth Amendment right to remain silent and not incriminate himself, as in making a confession. There was also the issue of whether he should have been advised of his Sixth Amendment right to counsel, meaning he could have had a lawyer present during police questioning. The case was appealed to the Supreme Court.

### **The Decision**

In the case known as *Miranda v. Arizona*, the Supreme Court voted 5-4 to overturn Miranda's conviction. Speaking for the court majority, Chief Justice Earl Warren said that the Fifth Amendment right not to testify against oneself belongs to a suspect seized by police. At that time, the suspect must be clearly warned that he may remain silent; that anything he does say can and will be used against him in a court of law; and that he has the right to consult with a lawyer before and during questioning, as provided in the Sixth Amendment.

### True/False Questions

- (11) \_\_\_\_\_ The police advised Ernesto Miranda of his right to remain silent instead of answering questions.
- (12) \_\_\_\_\_ The police informed Miranda of his right to have a lawyer present during questioning.
- (13) \_\_\_\_\_ The suspect's confession became part of the evidence used to convict him of the crime.

- (14) \_\_\_\_\_ The Supreme Court ruling in *Miranda v. Arizona* directed police to warn suspects that they may remain silent during questioning, and that anything they say may be held against them in a court of law.
- (15) \_\_\_\_\_ As a result of the *Miranda* case, suspects must be advised by police of their right to have a lawyer present during questioning.

### **Roe v. Wade (1973)**

#### **Background Information**

Norma McCorvey, an unmarried carnival worker, was denied an abortion in Texas in 1969. Texas law forbid abortions except when the woman's life was in danger. Many U.S. states at the time prohibited abortions in almost all circumstances.

McCorvey believed that the law was unconstitutional, and sued Dallas County district attorney Henry Wade. She was called Jane Roe in the case to protect her identity.

#### **The Decision**

In *Roe v. Wade*, the Supreme Court in 1973 ruled that the Texas law was a violation of the right of privacy under the Ninth and Fourteenth Amendments. Justice Harry A. Blackmun wrote the majority opinion, which was supported by seven of the nine justices. The Supreme Court decided that state laws could not forbid a woman from having an abortion during the first three months of pregnancy. The court also ruled that during the second three months, a state could regulate abortions only to protect women's health. During the last three months of pregnancy, the state may prohibit abortions except when needed to save the woman's life.

#### **True/False Questions**

- (16) \_\_\_\_\_ In 1969, Texas was the only U.S. state to forbid abortions.
- (17) \_\_\_\_\_ Norma McCorvey thought the Texas law was unconstitutional.
- (18) \_\_\_\_\_ In *Roe v. Wade*, all nine Supreme Court justices agreed that the Texas law violated the right of privacy.
- (19) \_\_\_\_\_ The *Roe* decision prevents states from denying a woman an abortion during the first three months of pregnancy.
- (20) \_\_\_\_\_ Under no circumstances can abortions be performed during the last six months of pregnancy.

**Thought Question:** Of the four landmark Supreme Court decisions described on these pages, which one do you think was of greatest importance?

Name of case: \_\_\_\_\_

Write a paragraph of 50-75 words explaining why this case was so important.

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