

# (Some) Important Supreme Court Decisions Answers

## 1. *Marbury v. Madison* (1803)

- Marbury seeks deserved, but denied commission
- Marbury challenges government at SCOTUS
- Court sides with Marbury on substance, overruling Madison
- But, Court rules Congress didn't have authority to grant SCOTUS original jurisdiction in this case
- Consequence: established judicial review

## 2. *McCulloch v. Maryland* (1819)

- Maryland tries to tax the Second Bank of the United States
- McCulloch (head of bank) refuses to pay tax
- Maryland asserts bank is unconstitutional because Congress is not given explicit power to create banks
- Court overrules due to the “necessary and proper” clause (Article 1, Sec. 8, clause 18)

## 3. *Gibbons v. Ogden* (1824)

- Some steamboat operators fight over shipping routes, with one trying to prevent another from using a boat on a monopolized route
- State court issues injunction because state law regulates shipping
- SCOTUS overrules and says only Congress has the right to regulate interstate commerce

## 4. *Dred Scott v. Sandford* (1857)

- Dred Scott is a slave taken into free territory by owner
- SCOTUS denied the claim because Scott did not have standing because, as a slave, he was not a citizen
- Furthermore, Missouri Compromise is unconstitutional

## 5. *Plessy v. Ferguson* (1896)

- Louisiana citizens challenge racially segregated rail cars
- SCOTUS rules that 14th amendment requires equal treatment, but “separate but equal” facilities satisfy this

## 6. *Brown v. Board of Education* (1954)

- Class action suit brought against Topeka, Kansas schools, challenging state law that permitted (but not required) separate school facilities based on race
- SCOTUS combined five cases

- Unanimous decision: segregation was unconstitutional
7. *Schenck v. United States* (1919)
    - Socialist party members distribute flyers protesting conscription
    - Convicted under the Espionage Act for dissent
    - SCOTUS upholds conviction that 1st amendment does not protect speech that presents “a clear and present danger” (i.e., encourages the commission of a crime)
  8. *Miller v. California* (1973)
    - Miller produces pornography is convicted of obscenity
    - SCOTUS rules obscenity is not protected by 1st amendment
    - But! establishes rules for what is considered obscenity: “lacks serious literary, artistic, political, or scientific value”
  9. *Engel v. Vitale* (1962)
    - Jewish families protest voluntary school-sponsored prayer
    - SCOTUS rules school-sponsored prayers violated the Establishment clause
  10. *Tinker v. Des Moines Independent Community School District* (1969)
    - Students protest the Vietnam war by wearing black armbands
    - Des Moines schools ban armbands
    - SCOTUS rules 1st amendment applies to schools
  11. *Gideon v. Wainwright* (1963)
    - Gideon is charged with a non-capital crime but cannot afford an attorney
    - SCOTUS rules that right to counsel is protected by fifth and sixth amendments
  12. *Miranda v. Arizona* (1966)
    - Miranda is arrested on charges of rape and confesses, but is not advised of his legal rights (e.g., counsel, self-incrimination)
    - SCOTUS rules confession is inadmissible because suspect must be aware of his rights
    - “Miranda warning”: rights read to anyone arrested in the United States
  13. *Furman v. Georgia* (1972)
    - Consolidation of two cases involving the death penalty
    - SCOTUS rules death penalty is cruel and unusual punishment in these cases, but provides no majority rationale
    - De facto death penalty moratorium until *Gregg v. Georgia* (1976)
  14. *Roe v. Wade* (1973)

- Abortion is illegal and Roe attempts to have an abortion of a pregnancy conceived via rape
  - SCOTUS rules that abortion is protected by 14th amendment right to due process, specifically a non-enumerated “right to privacy”
  - Most significant case from the perspective of contemporary political controversy
15. *Burwell v. Hobby Lobby Stores, Inc.* (2014)
- ACA/Obamacare requires corporations to provide health insurance that includes contraceptive coverage
  - Hobby Lobby challenges that it violates their 1st amendment rights to religious freedom
  - SCOTUS agrees with Hobby Lobby essentially on technical grounds: government can restrict religious liberty but only using the “least restrictive” method to implement the government’s interest
16. *United States v. Windsor* (2013)
- Windsor is married to a another woman, who dies leaving her estate to Windsor and wants a tax exemption only available to married couples
  - She is not considered married under federal Defense of Marriage Act (DOMA)
  - SCOTUS rules that DOMA is unconstitutional because it violates due process (5th Amendment)
  - Decision same day as a ruling that allowed a California state constitutional amendment to be overruled by state courts
17. *District of Columbia v. Heller* (2008)
- DC has a universal ban on guns and Heller challenges
  - SCOTUS rules that 2nd Amendment applies to gun ownership unconnected to the militia
  - Expanded later by *McDonald v. Chicago* (2010)
18. *Hamdi v. Rumsfeld* (2004)
- Hamdi is a U.S. citizen held in Guantanamo Bay as an enemy combatant
  - SCOTUS rules that Hamdi, as a U.S. citizen, has a right to due process protection; the legality of enemy combatant status being unresolved
  - Hamdi eventually deported and forced to give up his citizenship
19. *Hamdan v. Rumsfeld* (2006)
- Hamdan drives a car for Osama bin Laden and is held as an enemy combatant in Guantanamo Bay
  - SCOTUS rules (5-3) that Bush administration did not have authority from Congress to establish military tribunals because they failed to comply with the Geneva convention
  - *Boumediene v. Bush* later rules military tribunals deny habeas, so detainees can challenge their detention in civilian courts

20. *United States v. Nixon* (1974)

- Nixon refused to release tapes related to Watergate
- SCOTUS rules that “executive privilege” does not protect evidence of criminal wrongdoing
- Nixon resigns

21. *Clinton v. City of New York* (1998)

- Republican’s Line Item Veto Act of 1996 grants line-item veto to the President
- Clinton uses line-item veto on a budget bill
- SCOTUS rules that constitution does not give President independent authority to author or repeal legislation, so line-item veto is unconstitutional; Congress cannot change its own authority or the authority of other branches

22. *Sony Corp. of America v. Universal City Studios, Inc.* (1984)

- Sony invents the betamax VCR and is sued by the entertainment industry for facilitating copyright infringement
- SCOTUS rules: (1) VCR has non-infringement uses and (2) the use of VCRs constitutes “fair use”

23. *National Federation of Independent Business v. Sebelius* (2012)

- ACA/Obamacare challenged on multiple grounds: (1) Medicaid expansion coercive, (2) individual insurance mandate is unconstitutional
- Administration argues that mandate is constitutional under commerce clause
- SCOTUS rules Medicaid expansion rules are coercive; but individual mandate is valid under the taxing power not commerce clause

24. *Citizens United v. Federal Election Commission* (2010)

- Conservative group airs film critical of Hillary Clinton; McCain–Feingold prohibits prohibits such things, especially by corporations and unions
- SCOTUS rules that McCain–Feingold is an unconstitutional prohibition on free speech by corporations and unions
- Much more corporate spending on third-party advertising, but donations directly to campaigns and candidates remains illegal

25. *Bush v. Gore* (2000)

- Bush wins Florida, but Gore challenges for a recount
- Recounts are slow and Florida certifies results before recounts finish
- Various challenges
- SCOTUS rules that recounts violated equal protection clause, but no alternative recount could satisfy it and state election laws, so results stand
- Bush wins