

SUPREME COURT DECISIONS

Marbury v. Madison (1803) – Even though the Constitution never specifically mentioned it, the Supreme Court used this case to assert for itself the power of “Judicial Review” over Federal actions (i.e., Federal Courts can declare legislative or executive acts unconstitutional).

Fletcher v. Peck (1810) – The Supreme Court ruled that Georgia had violated a contract, thus extending Federal courts’ Judicial Review power to include state laws. This began a long process of Federal erosion of state sovereignty guaranteed under the “Reserved Clause” of the 10th Amendment.

McCulloch v. Maryland (1819) – Based on the “Necessary & Proper” clause in the Constitution, the Supreme Court established the principle of vast “Implied Powers” for the national government; many of these powers not specifically mentioned in the Constitution.

Dred Scott v. Sanford (1857) – Slaves were determined to be property, not citizens, thus setting the stage for arguments which culminated in the Civil War.

Plessy v. Ferguson (1896) – This infamous case allowed racial segregation as long as facilities were “Separate but Equal.” This precedent was overturned in the 1954 *Brown v. Board of Education* case.

Schenk v. United States (1919) – First Amendment rights, including the freedom of speech, can be limited during national emergencies, thus establishing the “Clear and Present Danger” formula

Brown v. Board of Education of Topeka (1954) – The Supreme Court ruled that racial segregation was inherently unequal and thus violated the 14th Amendment’s “Equal Protection” clause. This overturning of the *Plessy v. Ferguson* precedent helped usher in the Civil Rights movement.

Mapp v. Ohio (1961) – This case overturned a pornography conviction because of an illegal search and seizure of evidence by police. This case expanded privacy rights for citizens, and established the Exclusionary Rule which keeps “tainted” evidence from being used in criminal trials.

Baker v. Carr (1962) – The court ruled that gerrymandering sometimes violated the “Equal Protection” of citizens, and later, that Congressional district lines must guarantee “One Man, One Vote.”

Engle v. Vitale (1962) – Together with several other cases, this ruling determined that religious ceremonies in public schools, including teacher-led school prayer, were unconstitutional because they violated First Amendment guarantees against the “Establishment” of religion by government.

Miranda v. Arizona (1966) - A confession obtained through the “Third Degree” technique was ruled inadmissible in a trial because the suspect was not informed of his right to remain silent.

Roe v. Wade (1973) – Based on implied Constitutional privacy rights, the Supreme Court ruled that states may not interfere with a woman’s right to an abortion during the early trimesters of pregnancy.

Citizens United v. Federal Election Commission (2010) – Ruled that the government cannot limit the political campaign spending of corporations and special interest groups. This case has been blamed for the huge rise of so-called “dark money” in politics.