

Chief Justice, info	Case Name and Year	Holding	Winners	Losers	Shorthand /Notes
<b>John Marshall</b> (1800-1835) <ul style="list-style-type: none"> <li>• Judicial Review</li> <li>• Expansion of Federal Power</li> <li>• Loose Construction</li> <li>• Federalist</li> </ul>	<i>Marbury v. Madison</i> (1803)	Supreme Court has authority to rule Congressional Acts unconstitutional (Judicial Review)	-Supreme Court	-Congress	Judicial Review
	<i>McCulloch v. Maryland</i> (1819)	Federal Government CAN establish National Bank ("Necessary & Proper" Clause) even without express Constitutional authority; States CANNOT tax federal institutions	-Loose Construction -National Bank & advocates	-Strict Construction -State Governments	"Power to tax is the power to destroy"
	<i>Dartmouth College v. Woodward</i> (1819)	Contract pre-dating creation of NH IS a valid contract; NH cannot void	-Private Property -Sanctity of Contract	-State Governments	-"Sanctity of Contract" Case
	<i>Gibbons v. Ogden</i> (1824)	Federal laws regulating interstate commerce overrule state laws	-Federal Government -Commerce Clause	-State Governments	
	<i>Worcester v. Georgia</i> (1832)	Only Federal Government, not States, can regulate relations with sovereign Indian tribes	-Federal Government	-State Governments	
<b>Roger Taney</b> (1836-1864) <ul style="list-style-type: none"> <li>• Jacksonian Democrat</li> <li>• States' Rights</li> </ul>	<i>Charles River Bridge v. Warren Bridge</i> (1837)	MA contract awarding competing bridge contract in violation of implied rights of competing bridge IS valid, USSC defers to state legislature	-States' Rights	-Property Rights	
	<i>Dred Scott v. Sandford</i> (1857)	1. Enslaved Africans and their descendents are not and can never be citizens 2. U.S. has no authority to prohibit slavery in territories	-States' Rights -Slaveholders	-Federal Government -African Americans -Slaves -"Free Soilers" -Abolitionists	

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<b>Salmon P. Chase</b> (1864-1873)	<i>Ex Parte Milligan</i> (1866)	Military tribunals CANNOT be used to try civilians when civilian courts still operating	-Defendants' rights	-Executive	
	<i>Slaughterhouse Cases</i> (1873)	14 <sup>th</sup> Amendment ONLY applies to Federal "privileges or immunities", NOT State citizenship rights	-States' Rights	-Federal Government -Civil Rights of individuals	
<b>Morrison Waite</b> (1874-1888) <ul style="list-style-type: none"> <li>• Restrict expansion of Federal Government</li> <li>• Federalism</li> </ul>	<i>U.S. v. Cruikshank</i> (1875)	Due Process and Equal Protection clauses of 14 <sup>th</sup> Amendment apply ONLY to Government actions, not those of individuals	-Advocates of limited government	-Southern African-Americans -Strong 14 <sup>th</sup> Amendment proponents	
	<i>Munn v. Illinois</i> (1876)	14 <sup>th</sup> Amendment does NOT prevent IL from setting maximum rates for the storage of grain; RR freight shipments. Private cos. had "public interest" which allowed regulation.	-State Governments -Farmers (Grange movement)	-Railroads	
	<i>Civil Rights Cases</i> (1883)	Federal Civil Rights Acts (e.g. desegregating public facilities) were unconstitutional (Federalism argument)	-State Governments -Racially discriminatory laws	-Federal Government -Civil Rights	-Would stand until the 1960s Civil Rights movement (accomplished via commerce clause)
	<i>Wabash v. Illinois</i> (1886)	Contra, <i>Munn</i> . State regulations of interstate commerce CANNOT place a direct burden on interstate commerce.	-Federal Government -Commerce clause	-State governments	Interstate Commerce Commission (ICC) created to investigate and oversee RR activities

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<b>Melville Fuller</b> (1888-1910) <ul style="list-style-type: none"> <li>• Pro-business</li> <li>• Limited commerce clause</li> <li>• Conservative</li> </ul>	<i>In Re Debs</i> (1895)	Federal injunction ordering RR workers back to work during strike IS valid under commerce clause	-Commerce clause -Employers / corporations	-Unions / workers	
	<i>Plessy v. Ferguson</i> (1896)	Racially segregated facilities are permissible under 14 <sup>th</sup> Amendment if they are equivalent (Separate but Equal OK)			Separate but Equal
	<i>Lochner v. United States</i> (1905)	NY state law limiting hours bakers could work is INVALID	-Employers / Corporations	-Unions / workers	
	<i>Muller v. Oregon</i> (1908)	OR law limiting hours women can work IS valid based on women's "nature"; contra, <i>Lochner</i>	-Women (?) -Workers -Progressive arguments -Expert testimony	-Employers / corporations	Brandeis Brief (sociological data)
<b>Edward White</b> (1910-1921)	<i>Standard Oil v. United States</i> (1910)	Standard Oil is guilty of monopolizing the petroleum industry in violation of the Sherman Anti-Trust Act	-Stronger anti-trust regulations -Federal Government -Commerce clause	-Private corporations -Trusts	
	<i>Schenck v. United States</i> (1919)	Socialist anti-draft pamphlets NOT protected by 1 <sup>st</sup> Amendment; present a "clear and present" danger (Note: wartime case)	-Government power -Wartime measures	-Free Speech -First Amendment -Individual Rights	

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<b>Charles Evans Hughes</b> (1930-1941) <ul style="list-style-type: none"> <li>Shifted from not supporting New Deal to supporting New Deal</li> </ul>	<i>Schechter Poultry v. United States</i> (1935)	NIRA (New Deal legislation) was unconstitutional under the Separation of Powers (too much legislative authority to the executive branch)	-Corporations	-Executive -New Deal legislation -Commerce Clause	"Sick Chicken Case"
	<i>West Coast Hotel v. Parrish</i> (1937)	Contra, <i>Lochner</i> . WA state law establishing minimum wage IS constitutional.	-Workers -New Deal -FDR	-Corporations -Employers	-Overturned <i>Adkins v. Children's Hospital</i> (1923) -Signified end of "Lochner Era" -"Switch in time saved nine." -New Deal legislation now being approved.
	<i>NLRB v. Jones &amp; Laughlin Steel</i> (1937)	National Labor Relations Act (Wagner Act) IS Constitutional.	-Workers -Unions -New Deal -FDR -Federal Government -Commerce Clause	-Corporations -Employers	-Approval of New Deal legislation
<b>Harlan Fiske Stone</b> (1941-1946) <ul style="list-style-type: none"> <li>Support for New Deal Programs</li> <li>Deference to Executive during War</li> </ul>	<i>Wickard v. Filburn</i> (1942)	Farm grown for home consumption CAN be regulated under the Commerce Clause	-Commerce Clause -Federal Government	-State Governments	-(Virtually) NO limit on federal power under commerce clause (until <i>U.S. v. Lopez</i> , 1995)
	<i>Smith v. Allwright</i> (1944)	14 <sup>th</sup> and 15 <sup>th</sup> Amendments prohibit "White primaries" (private parties had a "public function")	-African Americans -Federal Government	-Political parties	
	<i>Korematsu v. United States</i> (1944)	WWII Internment of Japanese-Americans on national security grounds IS Constitutional	-Wartime measures -Federal Government	-Japanese Americans -Individual liberties	

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<b>Frederick Vinson</b> (1946-1953)	<i>Dennis et al v. United States</i> (1951)	Membership in the Communist party is prosecutable under the <u>Smith Act</u> without violating the <u>First Amendment</u>	-Strong Federal government	-Broad first amendment right of association, speech -Communists	
	<i>Brown v. Board of Education of Topeka</i> (1954)	Segregated schools are inherently unequal and prohibited by the 14 <sup>th</sup> Amendment	-Federal government -Strong equal protection clause of 14 <sup>th</sup> Amendment	-Southern states -Segregated schools -States' rights	-Separate but Equal NOT Okay -Overrule <i>Plessy v. Ferguson</i>
<b>Earl Warren</b> (1953-1969) <ul style="list-style-type: none"> <li>• Civil Rights (Racial Desegregation)</li> <li>• Individual Liberties (Limiting police powers; protecting rights of the accused)</li> <li>• Separation of Church and State</li> <li>• Liberal</li> </ul>	<i>Baker v. Carr</i> (1962)	Reapportionment is NOT a "political question" and therefore is SUBJECT to judicial review	-Urban voting districts -Federal involvement in state elections -Federal power	-Rural voting districts -States' rights	-Established "One person, one vote" -Voting districts must represent about the same number of voters
	<i>Engel v. Vitale</i> (1962)	Public schools CANNOT require official school prayers to be recited	-First Amendment (strong Establishment Clause) -Separation of church and state	-Advocates of prayer in school -State governments	-"No Prayer in School"
	<i>Gideon v. Wainwright</i> (1963)	State courts MUST provide indigent (poor) defendants with an attorney at trial. (6 <sup>th</sup> Amendment)	-Indigent defendants -Sixth Amendment -Federal Government -Broad individual liberties	-State governments -Police	
	<i>Escobedo v. Illinois</i> (1964)	Criminal suspects DO HAVE a right to have an attorney present during police interrogations. (6 <sup>th</sup> Amendment)	-Criminal defendants -Sixth Amendment -Broad individual liberties	-State governments -Police	
	<i>Miranda v. Arizona</i> (1966)	Defendants MUST be informed of the right to consult with an attorney, (6 <sup>th</sup> Amendment) and of their right avoid self-	-Criminal defendants -Fifth Amendment -Sixth Amendment	-State governments -Police	"You have the right...."

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		incrimination. (5 <sup>th</sup> Amendment).			
<b>Warren Burger</b> (1969-1986) <ul style="list-style-type: none"> <li>Moving in more conservative direction</li> </ul>	<i>Roe v. Wade</i> (1973)	Constitution protects woman's right to have an abortion under implied "right to privacy" (with exceptions)	-Loose construction -Women wanting abortion	-Strict construction -Religious conservatives	Abortion Case
	<i>United States v. Nixon</i> (1974)	The President CANNOT use executive privilege as an excuse to withhold evidence that is 'demonstrably relevant in a criminal trial.'	-Judicial power -Rule of Law	-Executive power -Executive privilege	-Led to Nixon's resignation -Limited executive privilege still available
	<i>Regents of Univ. of California v. Bakke</i> (1978)	Minority status can be A factor in college admissions (affirmative action) but not THE only factor (quotas)	-Affirmative action programs	-Quotas	
<b>William Rehnquist</b> (1986-2005) <ul style="list-style-type: none"> <li>Strict Construction</li> <li>Conservative</li> </ul>	<i>United States v. Lopez</i> (1995)	Possession of a gun near a school is NOT an economic activity and CANNOT be regulated via the Commerce Clause.	-State Governments -Federalism restrictions on Federal power	-Federal Government -Commerce Clause	First limit on Federal Power on Federalism ground since New Deal!
	<i>Bush v. Gore</i> (2000)	Manual recounts of votes in the Florida presidential election would violate the Equal Protection clause of the 14 <sup>th</sup> Amendment	-George W. Bush	-Al Gore	-Case limited to specific facts presented