The Warren Court, 1953-1969

The Supreme Court under Chief Justice Earl Warren

Characteristics of the Warren Court

* Expand civil rights and civil liberties
* Increase the power of the federal government over the states
* Address social issues of the 1950s and 1960s
* Very liberal in nature (willing to adopt change)

What is **Due Process**?

* Means that the law may not treat individuals unfairly, and courts must follow proper procedures when trying cases
* The Warren Court ruled in several cases that upholding due process meant that the federal bill of rights should be applied to states, as well as individuals.
* Term comes from the Fourteenth Amendment to the Constitution:

Section 1.

“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Warren Court Themes

1. **Apportionment**-restructuring electoral districts to make them more representative (re-drawing districts to accurately reflect a region’s population, so that everyone’s vote is equal)
2. **Due Process-**everyone, including states, must be treated fairly and equally under the law and courts have to follow proper procedures when trying cases
3. **Civil Rights**
4. **Freedom of Religion/Speech**
5. **Right to Privacy**

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| Name of Court Case | Relates to… | Significance |
| *Brown v. Board of Education*, 1954 |  |  |
| *Baker v. Carr*, 1962 |  |  |
| *Mapp v. Ohio*, 1961 |  |  |
| *Gideon v. Wainwright*, 1963 |  |  |
| *Miranda v. Arizona*, 1966 |  |  |
| *Engel v. Vitale*, 1962 |  |  |
| *Griswold v. Connecticut*, 1965 |  |  |
| *Loving v. Virginia*, 1967 |  |  |
| *Hernandez v. Texas*, 1954 |  |  |

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Warren Court Themes

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| *Brown v. Board of Education*, 1954 |  |  |
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| *Reynolds v. Sims*, 1964 |  |  |
| *Mapp v. Ohio*, 1961 |  |  |
| *Gideon v. Wainwright*, 1963 |  |  |
| *Miranda v. Arizona*, 1966 |  |  |
| *Tinker v. Des Moines*, 1969 |  |  |
| *Loving v. Virginia*, 1967 |  |  |
| *Hernandez v. Texas*, 1954 |  |  |
| Name of Warren Court Case | Relates to theme of… | Significance |
| *Brown v. Board of Education*, 1954 |  | Overturned the precedent set in *Plessy v. Ferguson* (1896) by declaring that segregation in public schools was unconstitutional. Used equal protection clause from the Fourteenth Amendment to support ruling |
| *Baker v. Carr*, 1962 |  | Ruled that federal courts can hear law suits seeking to force state authorities to redraw electoral districts. Increased the power of the federal government over the states, using the equal protection clause to support ruling. |
| *Mapp v. Ohio*, 1961 |  | Ruled that evidence that was obtained in violation of the Fourth Amendment (must have a warrant to search) cannot be used to prosecute a defendant. Applied due process clause of Fourteenth Amendment to states |
| *Gideon v. Wainwright*, 1963 |  | Ruled that defendants in criminal cases who cannot afford an attorney will be provided with an attorney paid by the state. Applied the equal protection clause from the Fourteenth Amendment to the state of Florida |
| *Miranda v. Arizona*, 1966 |  | Ruled that a person placed in custody must be informed of the right to remain silent, the right to an attorney, and that anything they say can be used against them in court. Confessions are inadmissible if rights were not told to the person.  |
| *Tinker v. Des Moines*, 1969 |  | Ruled that through incorporation of the Fourteenth Amendment, the First Amendment does apply to public schools, and that the actions of wearing protest armbands did constitute protected symbolic speech |
| *Reynolds v. Sims*, 1964 |  | Ruled that based on the equal protection clause of the Fourteenth Amendment, state legislature districts should be roughly equal in population. Affirms the idea of “one person, one vote” |
| *Loving v. Virginia*, 1967 |  | Ruled that under the due process and equal protection clause of the Fourteenth Amendment, laws that outlaw interracial marriage are unconstitutional. Used as support in the 2013 ruling that allowed same-sex marriage |
| *Hernandez v. Texas*, 1954 |  | Ruled that under the equal protection clause of the Fourteenth Amendment, all Mexican Americans and other racial groups were guaranteed fair and equal treatment |