**APUSH Supreme Court Cases**

* **Marbury v. Madison (1803, Marshall).** The court established its role as the arbiter of the constitutionality of federal laws, the principle is known as judicial review
* **McCulloch v. Maryland (1819, Marshall).** The Court ruled that states cannot tax the federal government, i.e. the Bank of the United States; the phrase "the power to tax is the power to destroy"; confirmed the constitutionality of the Bank of the United States.
* **Gibbons v. Ogden (1824, Marshall).** Clarified the commerce clause and affirmed Congressional power over interstate commerce.
* **Scott v. Sanford (1857, Taney).** Speaking for a widely divided court, Chief Justice Taney ruled that Dred Scott was not a citizen and had no standing in court; Scott’s residence in a free state and territory had not made him free since he returned to Missouri; Congress had no power to prohibit slavery in a territory (based on the 5th Amendment right of a person to be secure from seizure of property), thus voiding the Missouri Compromise of 1820.
* **Plessy v. Ferguson (1896).** Legalized segregation in publicly owned facilities on the basis of "separate but equal."
* **"Insular Cases" / Downes v. Bidwell (1901).** Confirmed the right of the federal government to place tariffs on good entering the U. S. From U. S. Territories on the grounds that "the Constitution does not follow the flag." –US citizenship does not extend to US held territories.
* **Schenck v. U. S. (1919).** Unanimously upheld the Espionage Act of 1917 which declared that people who interfered with the war effort were subject to imprisonment; declared that the 1st Amendment right to freedom of speech was not absolute; free speech could be limited if its exercise presented a "clear and present danger."
* **Korematsu v. U. S. (1941).** The court upheld the constitutionality of detention camps for Japanese-Americans during World War 2.
* **Brown v. Board of Education of Topeka, Kansas (1954, Warren).** Unanimous decision declaring "separate but equal" unconstitutional.
* **Gideon v. Wainwright (1963).** Extends to the defendant the right of counsel in all state and federal criminal trials regardless of their ability to pay.
* **Miranda v. Arizona (1966).** The court ruled that those subjected to in-custody interrogation be advised of their constitutional right to an attorney and their right to remain silent.
* **Roe v. Wade (1973).** The court legalized abortion by ruling that state laws could not restrict it during the first three months of pregnancy. Based on 4th Amendment rights of a person to be secure in their persons.
* **Bakke v. Regents of the University of California (1978).** Ambiguous ruling by a badly divided court that dealt with affirmative action programs that used race as a basis of selecting participants. The court general upheld affirmative action, but with a 4/4/1 split, it was a very weak decision.
* **Bush v. Gore (2000).** The court ruled that manual recounts of presidential ballots in the Nov. 2000 election could not proceed because inconsistent evaluation standards in different counties violated the equal protection clause. In effect, the ruling meant Bush would win the election.