

Warren court - A Legal Analyses

Author - Haripriya S, Student at School of Law, SRM University

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Abstract

From 1953, when Count Warren became Chief Justice, until 1969, when Earl Warren resigned as Chief Justice, it was a constitutional revolution occurred. Constitutional revolutions are rare in American history. In fact, the only constitutional revolution before the Warren Court was new. The transactional revolution of 1937, which fundamentally changed relations between the federal government and the states and between the government and the economy. Before 1937, America had great continuity constitutional history. The first abrupt break occurred in 1937 with a new Agree with the court. Another sharp upheaval occurred in 1953-1969 with Warren Court. Will we experience a similar turnaround after this we still have to wait for 1969. However, it is certain that some resonance Warren's trial continued at Burger Court, and perhaps even later. The constitutional revolution initiated by the Warren Court is based on two general concepts that may have conflicted. First of all it was the idea of a living constitution: a constitution that evolves with it to changing values and circumstances. The other was marked updating the discourse of rights into a dominant constitutional form.

Introduction

Warren Court is the period in which Earl Warren served as Chief Justice of the United States Supreme Court from October 5, 1953 to June 23, 1969. Along with Supreme Court Justice John Marshall's Marshall Court from 1801 to his 1835, the Warren Court is considered one of his two most influential periods in the American Constitution. Unlike any court before or after it,

the Warren Court dramatically expanded civil rights and liberties and the powers of the judiciary and the federal government. Today, the Warren Court is lauded and criticized for lavishly ending racial discrimination in the United States, enforcing the Bill of Rights through the 14th Amendment's due process clause, and ending state-sanctioned prayer in public schools. It has been. In the 1940s, both the military and Major League Baseball were desegregated, and civil rights activists began to question racism in interstate travel and food businesses. The Chinese Exclusion Act, which denied citizenship and immigration privileges to Chinese workers, came into force in 1882 and was later repealed. And Fred Korematsu defended civil liberties and defied federal orders to move Japanese Americans to internment camps after the Japanese attack on Pearl Harbour in 1941. As men served in the military during World War II, women entered the workforce in greater numbers and sought more career opportunities after the war ended.

It was this post-war environment that laid the groundwork for the massive social changes that took place in the 1950s and his 1960s, with Warren beginning the first year of his 16-year tenure on the High Court bottom. From 1943 he was in California until 1953, when Warren died in September 1953 before he succeeded Chief Justice Fred Vinson. In Warren, Dwight D. Eisenhower saw a centrist Republican like him with a professional law enforcement background. But, defying conventional wisdom, Warren leaned left as he aged, perceiving the Constitution as a living thing rather than a fixed document. With this mind-set, the Warren Court decided many landmark civil rights cases.

Warren court decision

The Warren Court decision covered racism, voting and redistribution, criminal proceedings, the First Amendment, and the right to privacy. The most famous of these cases are:

1. Brown v. Board of Education (1954)
2. Baker v. Carr (1962)
3. Mapp v. Ohio (1961)
4. Gideon v. Wainwright (1963)
5. Engel v. Vitale (1962)
6. Tinker v. Des Moines (1969)
7. Griswold v. Connecticut (1965)

Some cases are briefed here:

1. Brown v. Board of Education (1954)

On May 17, 1954, in Brown v. Board of Education, Topeka, the Supreme Court unanimously ruled that race-based "separate but equal" schools were unconstitutional. The ruling overturned the precedent of his 1896 Plessey v. Ferguson case, which was decided when Warren was just five years old. However, when Brown appeared in court for the first time in 1952, it was not clear how the case would be decided. Warren's arrival the following year changed that, according to Democracy and Equality co-authors Jeffrey R. Stone and David A. Strauss.

"Judges were divided on this issue the year before and he didn't rule," Stone said of Brown. "And when Warren became Chief Justice of the Supreme Court, he worked hard to bring everyone together and finally came to a unanimous decision. It's one of the decisions."

Strauss attributed Braun's unanimous decision to Warren's political skill. He called him one of the great politicians of his generation and a key figure in the Republican Party. But the Republican Party was not the same party as it was then.

"Until the mid-1960s, Republicans were almost unanimous in favour of civil rights," says Strauss. "It was the liberals of the Republican Party who were doggedly pushing for civil rights, but the conservatives who were not. But the hard-core racists belonged to the Democrats."

Changing times also influenced Brown's judgment. Stone said the court found the results of racism, Plessey v. Ferguson. There was no doubt that segregation was having a negative impact on the academic performance of black Americans. "They ... fully understood that racial segregation had resulted in a very different education system, and that not being able to interact with other students on either side was a terrible consequence for the country, and that ... equality "It was the 14th Amendment clause that was in conflict," says Stone.

2. Voting Rights Established in Reynolds v. Sims

Before Warren became the most important judge, the Supreme Court didn't care much about people's right to vote. However, things changed while he was in charge. In 1964, a court case called Reynolds v. United state. Happened. Sims and some voters in Jefferson County, Alabama, didn't like how the state divided up its election areas.

The Alabama rules say that. Every county and district must have one chosen leader. The districts were not made fairly. Some districts with few people living in them had more power than urban districts with a lot of people and different races. The court decided that. Legislative districts should have similar numbers of people living in them.

Stone and Strauss said that. The decision was based on the idea that everyone gets to vote. Strauss said that it's not allowed for state. To arrange their law-making branches in a way that permits a small group of people to choose most of the legislators in that State. In some places, rural areas. Ruled the state. Even though most people lived in cities. This was a big problem. The Warren court ended that.

3. The Criminal Equity Framework changed under the Warren Court

During the civil rights era, the Warren Court also played a binding role in the criminal justice framework. Based on the empowering basis of the Warren Act, he recognized that poor and individuals of colour were powerless when it came to criminal justice.

In 1961, the Warren Court in *Mapp v. Ohio* on what evidence can be used in criminal cases. The police have long been able to conduct unconstitutional searches - such as stopping Dark's driver without reason and then searching the vehicle and using the contraband found to subpoena the driver. "They could charge you with drugs, and they didn't have to look like they had a real right to look at you," says Stone. In *Mapp*, the court ruled that the evidence found is inadmissible in court due to the coincidence of the police officer locking his eyes illegally. This choice prompted experts to follow the fourth correction, which protects against strange looks and convulsions. "But some time ago, when *Mapp* chose, they were given a lot of freedom to lock illegal placements and use the evidence they found, and there was no real recourse because poor litigants generally do not have the ability to sue for damages. "Says Stone. . . "And the police had no reason to follow the Fourth Amendment. So this was another example of the court interpreting the structure to protect the rights of people who were locked up in the criminal justice system.

In the case (1963) of *Gideon v. Wainwright* made another compelling criminal justice choice on the Supreme Court. It ruled that states have a duty to provide direct service to litigants who may not be able to afford lawyers. "It gave people a much better chance of being guarded than if they were standing on their own, not knowing any laws," says Stone.

In 1966, *Miranda v. A* court in Warren, Arizona, ruled that police must inform all detainees of their right to remain silent and their right to behave. Stone says the administration responded to the law's mandate by exploiting the fact that people of colour, poor and uneducated people who were regularly incarcerated did not know their legal rights.

One of the Warren Court's criminal law decisions used the Fourth, Fifth and Sixth Amendments to give more rights to the socioeconomically disadvantaged.

"Some of the criminal methods choices, like *Miranda*, have met with tremendous resistance,"

says Strauss. "And now, the top conservation judges are perfectly comfortable with *Miranda*. So these cases were based on very controversial issues, not issues that no one has to deal with, but issues that everyone is often happy about, like *Brown*. That's one corner of [*Warren's*] legacy."

4. Interracial marriage is protected in *Loving v. Virginia*

Loving v Virginia, Richard and Mildred Loving. Before Warren retired from the Supreme Court in 1969, she led the court in the 1967 case of *Loving v. Virginia*. The justices ruled that the law banning interracial marriage violated the equal protection and due process of the 14th Amendment. During that time, most Americans opposed interracial marriage, but the court recognized that banning these marriages was racial discrimination. So why did it take 13 years after the *Brown* separation case for a court to rule in favour of interracial marriage?

"Interracial marriage was the kind of emotional flashpoint that all the racists kept bringing up," says Strauss. They said, "The Supreme Court wants to mix the races. They want black people to marry your white daughters. That was their call, so the Supreme Court dismissed the case for 13 years. And then, finally in '67, he said, "Okay, that's enough. We can't ban interracial marriage. When the justices decided *Brown*, they knew the segregationist backlash would cause a massive backlash. They did not want to stir up more resentment by introducing interracial marriage. By the end of the 1960s, delaying the decision was no longer possible.

5. First Amendment rights

In two landmark decisions that are still contested today, the Warren Court expanded the scope of the First Amendment by applying its protections to state action.

The 1962 decision of the Warren Court in *Engel v. Vitale* found that New York violated the Establishment Clause of the First Amendment by officially allowing mandatory nondenominational prayer services in the state's public schools. The decision *Engel v. Vitale* banned mandatory school prayer and

remains one of the most contested actions of the Supreme Court to this day. In its 1965 decision in *Griswold v. Connecticut* that, although not mentioned in the constitution, it is a right granted by the Due Process Clause of the Fourteenth Amendment. After Warren retired, *Griswold v. Connecticut* played a central role in the 1973 *Roe v. Wade* decision by the court, which legalized abortion and established constitutional protections for women's reproductive rights. In the first six months of 2019, nine states defeated *Roe v. Wade*, enacting the early abortion ban, which prohibits abortions after a certain early stage of pregnancy. Legal challenges to these laws have lingered in the courts for years.

Conclusion

Warren Court represented a unique period in the year. History of the United States Constitution. It just didn't happen, and it wasn't a random event, except for the appointed judiciary. This led to an important turning point in the history of the US Constitution, biographically as well as socially and historically.

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