

Early Childhood

- Immigrant community of mainly German and Irish immigrants. McCarthy's parents were devout Catholics, and McCarthy was a part of a traditional family, with eight other brothers and sisters. McCarthy left school at one point to manage a grocery store, but eventually finished his High School education by cramming the curriculums from 9th through 12th grade into one year.
- Wisconsin politics: bounced right and left, come from Scandinavian a socialist country, strange American pol

Law Practice

- After high school, McCarthy attended Marquette University in Milwaukee, where he was elected president of his law school class. During this time he became heavily involved in gambling. A few years after earning his law degree in 1935, McCarthy ran for the judgeship in Wisconsin's Tenth Judicial Circuit, a race he worked at relentlessly and won, becoming Wisconsin's youngest circuit judge ever elected.
 - Writing of Werner in *Reds: McCarthyism In Twentieth-Century America*, Ted Morgan wrote: "Pompous and condescending, he was disliked by lawyers. He had been reversed often by the Wisconsin Supreme Court, and he was so inefficient that he had piled up a huge backlog of cases."
 - McCarthy's judicial career attracted some controversy because of the speed with which he dispatched many of his cases as he worked to clear the heavily backlogged docket he had inherited. Wisconsin had strict divorce laws, but when McCarthy heard divorce cases, he would expedite them whenever possible, and he made the needs of children involved in contested divorces a priority.
 - The Wisconsin Supreme Court reversed a low percentage of the cases he heard, but he was also censured in 1941 for having lost evidence in a price fixing case.

Military Involvement

- In 1942, shortly after the U.S. entered World War II, McCarthy was commissioned into the United States Marine Corps, despite the fact that his judicial office exempted him from compulsory service.
 - McCarthy reportedly chose the Marines with the hope that being a veteran of this branch of the military would serve him best in his future political career which suggests his involvement was truly for campaign purpose only and could be seen as his evidence to wave a bloody flag.
 - In his campaign, McCarthy attacked La Follette for not enlisting during the war, although La Follette had been 46 when Pearl Harbor was bombed. He also claimed La Follette had made huge profits from his investments while he, McCarthy, had been away fighting for his country.
 - Although McCarthy often advertised himself as a war hero and Distinguished Flying Cross recipient (a medal that was awarded to him in 1952 during the height of his popularity), it was later discovered that McCarthy had embellished his war record and obtained the medal under false pretenses.

- McCarthy served a total tour of duty in the Marines lasting thirty months, or 2½ years, from August 1942 to February 1945, and he held the rank of captain by the time he was discharged in April 1945. He flew twelve combat missions as a gunner-observer, earning the nickname of "Tail-Gunner Joe" in the course of one of these missions
- Member of senate in congress and step into limelight with story
- Roy Kohn and shine are suspected as gay relationship
- Army accuse McCarthy of giving special treatment to shine
 - McCarthy provides Photograph evidence that was doctored
 - McCarthy produced copy of letter that was 1951 secret by jay hoover warning of subversives
 - He says army have access to file and chose not to do anything
 - Wasn't in files and McCarthy refuses to give anything
 - Redirected case some of what army says is right
 - Kohn forging letters to give shine access to private places
 - McCarthy and welch start butting heads welch questions McCarthy on stand and requests 130 gov't subversives lists (list is never produced)
 - Randomly attacks his lawyer (Fischer) by saying he is communist and then Claims Welch (army) is filibustering
 - McCarthy was acquitted, censure, stripped of political power
 - Kohn was found "unduly persistent efforts for shine"
 - Questionable behavior on part of army

IN the senate

Elected to the Senate in 1946, [Joseph McCarthy](#) (1908-1957) did not draw major national attention until 1950. On February 9th of that year, he delivered a [Lincoln Day address](#) in Wheeling, West Virginia, blaming failures in American foreign policy on Communist infiltration of the U.S. government. The Wisconsin Republican claimed to have a list of known Communists still working in the Department of State.

A special subcommittee investigated McCarthy's charges and rejected them as "a fraud and a hoax," but the outbreak of the Korean War and the highly publicized conviction of Alger Hiss lent credibility to the charges. When McCarthy became chairman of the Permanent Subcommittee on Investigations in 1953, he launched a series of investigations into alleged subversion and espionage. In 1954, a confrontation with the army led to the nationally televised [Army-McCarthy hearings](#), which tarnished McCarthy's public image, undermined his charges, and prompted his [censure](#) by the U.S. Senate.

Post censure

McCarthy died in [Bethesda Naval Hospital](#) on May 2, 1957, at the age of 48. The official cause of his death was listed as acute [hepatitis](#), an inflammation of the liver. It was hinted in the press that he died of alcoholism, an estimation that is now accepted by contemporary biographers

The summer of 1957, a special election was held to fill McCarthy's seat.

Legacy

Joseph McCarthy is respected in some circles and denigrated in others. His legacy depends upon which group one asks. To some, McCarthy is a great American tragedy; a destroyer of rights and a man who launched a fruitless "witch hunt" that introduced a new, unprecedented climate of fear into America. To others, McCarthy represents a great American hero, who fought the good fight to preserve America through a difficult and threatening era.

Childhood and Career analysis

Overwhelming sense that everything he did was not for sake of doing it but perception to others therefore gives way to the manipulation he uses all throughout his career. However he is intellectual and finishes HS in 1 year, graduates law school at prestigious university, military, and judicious experience.

- Ability of media to connect little people of America to big people
- Hearing in mass media, contributes to sensational journalism
- Link people to ant-communist movement
- Radical nature of claim and drama movement was reaching a peak and moved from we are America is now beginning to see negatives of the crusade and too much is negative
- Loyalty program over in 54, trial over 54
- propaganda, McCarthy and
- Republican party- during Eisenhower we see support taft Hartley and moderate like Eisenhower, now realize nature of what they support
- Mass media
- Republicanism
- Communist scare
- Cult of personality

Joseph McCarthy in Hollywood

- Hollywood blacklist practice of denying employment to entertainer because of suspected political beliefs or associations first date given is 1947
- Martin died jr. HUAC released report that communism pervasive in Hollywood john leech (previous communist member) announces 42 communist list
- Disney and Reagan names people leads to hollywood 10
- Only 10/72 subpoenaed show up to trial cited for contempt of congress
 - Dalton Trumbo, screen wright
 - Edward dmtryk
- Waldorf statement starts black list and promise to not rehire these people for alleged support of communist
- Private groups would allege Star Red channel focuses on broadcasting 151 name for potential subversives 1950

- NPA cofounder by Walt Disney issues pamphlet to educate how to be less communitarian in screenplay
 - 3 of Hollywood 10 found guild union to emit from screen
 - Blacklist ends in 60
 - John Faulkner sued AWARE (another firm that labels them) won in 62 suit ended with them being liable for messing up reps. and careers
 - Trumbo was communist, and ratted the other 9 of Hollywood 10 out and he made exodus and success so they pretty much end blacklist
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- Beneath president to insult other politician in public
 - whole page defending Marshall prior to election
 - McCarthy accuses of George C. Marshall of aiding communist nations MARSHALL PLAN
 - Pressures republicans to censure

Murrow

- presented events in Europe during war in a way no one had seen and broadcasting from overseas
- rose through ranks at CBS
- heard it now radio show -----> see It now tv show
- 1954 dedicated episode to paint the unhinged picture of McCarthy
- important in downfall bc it caused the public to see him a different way
- set the stage for the future of tv journalism
- the show was canceled 4 years after and move his show to early Sunday morning
- McCarthy came on show to do a rebuttal and he looked stupid and didn't disprove anything
- analysis
 - while he is symbol of destruction, Murrow is evidence of continued moral wellbeing in America
 - a place where 1 person can influence
 -

Edward R. Murrow

- 1908-1965
- born near Greensboro, North Carolina
 - family of farmers
 - sympathetic to the problems of the working class and the poor
 - on father's side, ancestors included a Cherokee Indian and a Quaker missionary
 - raised under strict, religious Quaker beliefs
- originally named Egbert (brothers called him Egg lol)
 - changed to Edward in his twenties
- attended University of Washington and Stanford University
 - finished his education at Washington State College
- Married Janet Huntington Brewster in 1934
- 1954 → set up *Edward R. Murrow Foundation*
 - contributed a total of about \$152,000 to educational organizations
 - Institute of International Education
 - Hospitals
 - Churches
 - even public broadcasting
- 1935 → became Director of Talks for CBS
 - Became head of its operations in Europe after moving to England 2 years later
 - Built network of correspondents that helped him report on growing conflict in Europe
 - “Murrow’s Boys”

- Most of his broadcasts from London
 - He resented the fact he couldn't broadcast from more places in Europe
- His coverage of events in Europe were immensely popular during WWII
 - Gifted speaker and use of actual sound from events allowed listeners to feel almost as though they were there watching it happen
- Later had several of his own shows and made a number of documentaries with CBS
- Director of the U.S. Information Agency until 1964
 - Served under John F. Kennedy
- 1964 → awarded Medal of Freedom by Lyndon B. Johnson
- Became honorary knight commander of the Order of the British Empire under Queen Elizabeth II
- Died from lung cancer
 - Heavy smoker most of his life ☹

His TV Show

- He actually had three (2 of which lasted for a substantial amount of time) of his own shows
 - *See it Now*
 - began as a series of recordings in the late 1940s → then known as *Hear it Now*

- later adapted for television, which was a newly emerging medium at the time
- debuted in 1951
- In 1954, called out Senator Joseph McCarthy
 - Basically painted a picture of him as a man who is both unhinged and a bully, using McCarthy's own words
 - says his charges against individuals are groundless
 - <https://www.youtube.com/watch?v=-YOIueFbG4g>
 - Dedicates entire episode to this
 - highlights fallacies and contradictions in McCarthy's speech
 - McCarthy appears on show 3 weeks later to respond
 - General public is not to impressed by his response
 - A week later, Murrow does yet another show on him
(response to response basically)
 - Basically goes through all of McCarthy's personal attacks on him and disproves them with facts → makes McCarthy seem even more unhinged, as he can't even get simple facts (such as Murrow's official position at CBS) correct
 - <http://www.americanrhetoric.com/speeches/edwardr-murrowtomccarthy.htm>
- "...we cannot defend freedom abroad by deserting it at home."
- This event is considered a huge deal because:

- It was a very “gutsy” move for a journalist to make
 - Addressing a figure such as McCarthy directly was basically unheard of in his field → set the stage for the future of journalism
- Is thought to have been a major contributor in the downfall of McCarthy (though it could be argued that Murrow only felt comfortable doing this because McCarthy’s popularity was already steadily declining...)
 - canceled in 1958
- Created *Small World* after *See it Now* was cancelled
 - Didn’t last for very long
 - Discussed world events
- *Person to Person*
 - Interview show
 - Meets with celebrities in their homes

McCarthyism in Hollywood

1. Hollywood blacklist-practice of denying employment to screenwriters, actors, directors, musicians, and other U.S. entertainment professionals because of their suspected political beliefs or associations
 - a. First instituted on November 25, 1947
 - b. After the allegations against the Hollywood Ten
 - c. Effective in servicing the paranoia of citizens
 - d. Trials were held by the House Committee Un-American Activities (HCUA)
 - i. Under Chairman Martin Dies Jr. released a report in 1938 claiming that communism was pervasive in Hollywood
 - ii. 2 years later John Lee, previous Communist Party member named 42 movie industry professionals as Communists
 1. Included Humphrey Bogart, James Cagney, Katherine Hepburn, Melvyn Douglas, and Fredric March
 - iii. In October 1947 subpoenaed 79 workers in Hollywood industry to testify for hearing
 1. Declared investigation was to determine if Communists agents and sympathizers has been planting propaganda in U.S. films
 2. Hearing included Walt Disney who believed Communist influence in Hollywood was a serious threat and named specific people he worked with and Roland Regan who believed there were "communist like tactics" trying to control Union policy
 - e. Lasted until 1960 when Dalton Trumbo, a communist party member and director from the Hollywood 10 group, released a new film (Exodus) that gained a lot of success
2. Hollywood Ten
 - a. 10 writers and directors were cited for contempt of Congress for refusing to testify in the HCUA
 - i. Alvah Bessie (screenwriter), Herbert Biberman (screenwriter and director), Lester Cole (screenwriter), Edward Dmytryk (director), Ring Lardner Jr. (screenwriter), John Hoard Lawson (screenwriter), Albert Maltz (screenwriter), Samuel Ornitz (screenwriter), Adrian Scott (producer and screenwriter) Dalton Trumbo (screenwriter)
 - b. Refused to testify citing their First Amendment rights to freedom of speech and assembly
 - c. Acting under Motion Picture Association of America
 - i. They released the Waldorf Statement after their conviction promising not to rehire the ten because of their alleged support of Communism
 - d. Vote of 346 to 17 approved the charges against the Hollywood 10 for contempt of Congress
 - e. Served 1 year prison sentences beginning in 1950 and fined \$1,000
3. Red Channels-pamphlet that focused on broadcasting and it singled out 151 entertainment industry professionals potential support of subversive groups
 - a. June 22, 1950
4. Motion Picture Alliance For the Preservation of American Ideals (MPA)

- a. Political Action group
 - b. Cofounded by Walt Disney
 - c. Issued a pamphlet advising producers to avoid “subtle communistic touches” in film
 - i. “Don’t smear the free-enterprise system...don't smear industrialists ... Don't smear wealth ... Don't smear the profit motive ... Don't deify the 'common man'... Don't glorify the collective”
- 5. The Screen Writers Guild- organization of Hollywood screenplay authors formed as a union in 1933
 - a. Founded by 3 member of the Hollywood Ten
 - b. Encouraged movie studios to “omit from the screen” names of individuals who failed to clear themselves from congress
- 6. Ending of the Blacklist
 - a. Key figure was John Faulk
 - i. Host of an afternoon comedy radio show
 - ii. Sued AWARE (private firms that labeled workers as communists)
 - 1. Suit was an important symbol for resistance to the blacklist
 - 2. Won in 1962-those who used them were put on notice that they were legally liable for the professional and financial damage they caused.
 - b. By the 1960s the blacklist began to fade

WHO IS MCCARTHY

- 1. Born in 1908
- 2. Devoted Catholics
- 3. Traditional family 8 brothers and sisters
- 4. Left school to manage a grocery store but graduated by cramming 9-12 in one year
- 5. Market University
 - a. President of Law School
 - b. Heavily involved with gambling
- 6. Youngest circuit judge ever elected
 - a. Exaggerated the age of his opponent
 - b. Said he was too old to be a judge
 - c. Propaganda to belittle his opponents
- 7. From Wisconsin
 - a. Interested in individual life
 - b. Strange politics
- 8. Was liked because he was pompous and condescending
- 9. 1942 enlisted in the Army Marine Corps
 - a. Hoped being a veteran would help him in politics
- 10. Got a medal in 1952 the distinguished fine cross
 - a. He had embellished the story to get the medal
- 11. He ran republican to make it into Senate
- 12. Everything he does is not for the sake of doing to but to get something in the end

13. He is smart (great college with law degree and finest high school in one year. Military experience gave him an insight. Understood the importance of a strong front. He was trying to get to power to get rid of communism.
14. Reflected America of the time
15. Member of the Senate, in Congress

THE MCCARTHY TRIALS

This becomes I have a secret knowledge of 250 communists in the government or list of 130. None is ever produced, after is over they believed there never was a list. Show over in 36 days. He was a jerk who lied and got caught. He got censured which is the worst thing that could happen to you. People watched the trials fascinated with figuring out who the people on the list were. First dramatic use of TV for politics, it was just drama, involved the army, the gays, people have "evidence" Can you actually attack the Army? The Army attacked back, he was a big loud puff of wind but never produced evidence

- These hearing the dull nature of mass media/sensationalism
- Demonstrates the ability of mass media to connect the little people of America
- Anti communist movement was reaching its peak
 - America was seeing the negative implications of such an crusade
 - TOO MUCH CAN BE NEGATIVE
- Propaganda McCarthy and his movement American should take propos there can be negative impacts by taking it too far
- Evidence of the revolution of the Republican party-Moderates (Eisenhower) Radicals who supported McCarthy they now see the faults of him
- Eisenhower did go directly against McCarthy
- Anti-communist movement is self serving
 - The attention will allow for it to continue
- Eisenhower McCarthy
- McCarthy and the Media
- ALL three together
- the republican party and its evolution
- McCarthy and his presentation
- McCarthy Hoover propos
- McCarthy's downfall
- How he ended up after all this

1. Joseph McCarthy
 - a. Republican Senator from Wisconsin
 - b. Gained public attention in 1950 when he
 - i. Made accusations that the State Department, as well as several other government agencies, had been infiltrated by hundreds of communists
 - c. Continued his anti-communist crusade for three years (until 1953)
 - i. When he became chairman of the Senate Permanent Subcommittee on Investigations

1. Shifted the main focus of the committee from scrutinizing fraud in the executive branch to pursuing suspected communists
 2. With his new power he conducted hundreds of hearings, accusing people from all branches of society of communism
 3. Him and his Chief Counsel, Ray Cohn, mainly ran the entire organization
 - a. The two of them relentlessly interrogated suspects
2. In 1953, McCarthy started trouble with the United States Army
 - a. He began investigating the Army Signal Corps Laboratory, in Fort Monmouth, NJ
 - i. The lab employed a lot of Jewish engineers from NY
 1. Jewish people, at the time, were considered un-American and often accused of being involved in communist activities
 2. Many of these employees had already been screened and cleared by the U.S. government
 - ii. Even though the army was already re-screening the entire workforce at the time, McCarthy decided to open up his own investigation
 1. After months of dispute between the Senator and the U.S. Army, McCarthy eventually gave up on his assault
 - b. In Spring, 1954, McCarthy accused the army of "lax security" at a secret facility
 - i. The army retaliated by saying that the senator had "sought preferential treatment for a recently drafted subcommittee aide" (senate.gov)
 1. Due to controversy, McCarthy stepped down as chairman of the subcommittee during the three month period of the nation-wide televised event known as "The Army-McCarthy Hearings"
 - ii. The Army-McCarthy Hearings ultimately led to the Senator's downfall
 1. These hearings were held by McCarthy's committee to put an end to his allegation that there was a risk of communist infiltration in the U.S. army
 - a. The hearings were chaired by Senator Karl Mundt
 - b. Received widespread coverage, particularly from television
 - i. This media exposure is key to how McCarthy lost popularity so fast; word of his cruel attacks quickly reached every corner of the country
 2. At a court session, June 9, 1954, McCarthy accused one of the army's attorneys of having ties to a communist organization
 - a. The army's main lawyer, Joseph Welch, responded to this unproven assertion by saying "Until this moment, Senator, I think I never really gauged your cruelty or your recklessness."
 - i. Once McCarthy attempted to continue his campaign against the other lawyer, Welch turned hostile
 - ii. He interrupted the Senator and said, "'Let us not assassinate this lad further, senator. You have done enough. Have you no sense of decency?'"
 1. It is this final plea that is considered to have ended McCarthy's reign
 - b. After this final bout, McCarthy's career dispersed overnight
 - i. He was now an outcast of his peers as well as his political party
 - c. He died three years later

- i. He was 48 years old, and seen as a “broken” man
- 3. Beginning of his campaign against communism
 - a. McCarthy originally began his assault as a way to boost his poll standings
 - i. Re-election was near, and McCarthy, who had just had a very mediocre, unimpressive term, was looking for a way to quickly gain popularity and votes
 - b. On February 9, 1950, McCarthy revealed that he had a list of 205 members of the State Department that were directly involved with the American Communist Party
 - i. During this time in America, there was already immense fear and paranoia of communism and other worldly threats, caused by WWII and the Soviet Union
 - 1. Because of this, the news of McCarthy’s accusations spread like wildfire; the whole nation shortly knew of the Senator
 - 2. The public went crazy, repulsed and terrified of the thought that communists had successfully infiltrated their government
 - ii. Research revealed that many of these people were not communists, rather they were merely alcoholics or “sexual deviants”
 - 1. Regardless of the facts, McCarthy continued his “movement” against communism in the U.S.
 - c. Over the course of the next several years, McCarthy accused hundreds of innocent people of being communist

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Period 8

Who else involved in McCarthy trials: Analysis on Cohn & Schine

1. **Roy Marcus Cohn**: an American attorney, He was also a member of the U.S. Department of Justice's prosecution team at the espionage trial of Julius and Ethel Rosenberg.
 - Born to an observant Jewish family in The Bronx, New York City, who was influential in Democratic Party politics (parents)
 - Although he was registered as a Democrat, Cohn supported most of the Republican presidents of his time and Republicans in major offices across New York.
 - As an Assistant U.S. Attorney (AUSA) in Saypol's Manhattan office, Cohn helped to secure convictions in a number of well-publicized trials of accused Soviet operatives
2. McCarthy hired Cohn as his chief counsel, choosing him over Robert Kennedy, reportedly in part to avoid accusations of an anti-Semitic motivation for the investigations. Cohn assisted McCarthy's work for the Senate Permanent Subcommittee on Investigations, becoming known for his aggressive questioning of suspected Communists.
3. Cohn invited his friend G. David Schine, an anti-communist propagandist, to join McCarthy's staff as a consultant. When Schine was drafted into the Army in 1953, Cohn made repeated and extensive efforts to procure special treatment for Schine. He contacted military officials from the Secretary of the Army down to Schine's company commander, and demanded that Schine be given light duties, extra leave, and exemption from overseas assignment. At one point, Cohn is reported to have threatened to "wreck the Army" if his demands were not met.
4. After leaving McCarthy, Cohn had a 30-year career as an attorney in New York City.
5. Federal investigations during the 1970s and 1980s charged Cohn three times with professional misconduct, including perjury and witness tampering. He was accused in New York of financial improprieties related to city contracts and private investments. He was acquitted of all charges.
6. Schine and Cohn conducted a much-criticised tour of Europe in 1953, examining libraries of the United States Information Agency for books written by authors they deemed to be Communists or fellow travelers.

2. **David Shine:** was the wealthy inheritor to a hotel chain fortune who became a central figure in the Army-McCarthy Hearings of 1954 in his role as the chief consultant to the Senate Permanent Subcommittee on Investigations.

- born in Gloversville, New York to Jewish parents, hotel magnate Junius Myer Schine and Hildegard Feldman
- entered Harvard in the summer of 1945, took a leave of absence in the spring of 1946, and returned in the fall of 1947 after a year working as an assistant purser for the Army Transport Service
- In 1952 Schine published a six-page anti-communist pamphlet called *Definition of Communism*, and had a copy placed in every room of his family's chain of hotels
- The pamphlet introduced Schine to Roy Cohn through newspaper columnist George Sokolsky, and the two became friends.^[13] Cohn at that time was Senator Joseph McCarthy's chief counsel, and he brought Schine onto McCarthy's staff as an unpaid "chief consultant."
- In November 1953, Schine was drafted into the United States Army as a private.^[18] Cohn immediately began a campaign to obtain special privileges for Schine. Cohn met with and made repeated telephone calls to military officials from the Secretary of the Army down to Schine's company commander. He asked that Schine be given a commission, which the Army refused due to Schine's lack of qualifications, and that Schine be given light duties, extra leave and not be assigned overseas. At one point, Cohn was reported to have threatened to "wreck the Army" if his demands were not met (relate, go back and integrate with Cohn bullet point)
- Later years: After the hearings, Schine left politics and refused to comment on the episode for the rest of his life. He remained active in the private sector as a businessman and an entrepreneur, working in the hotel, music, and film industries. He was for a time a member of the Young Presidents' Organization –Three years after the hearings Schine married and eventually had six children.

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AICE A History

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Period 8

Mapp vs. Ohio

○ *BRIEF OVERVIEW:*

- Police officers sought a bombing suspect and evidence of the bombing at the petitioner's (Miss Mapp) house.
- After failing to gain entry on an initial visit, the officers returned with what purported to be a search warrant, forcibly entered the residence, and conducted a search in which obscene materials were discovered.
 - Later on, Miss Mapp was tried and convicted for the materials found at the scene

○ *DETAILED SUMMARY:*

- The three Cleveland police officers arrived at the her residence due to information that a bombing suspect was hiding out there and that items regarding the bombing were hidden there. When they arrived, Mapp refused to let them in without a search warrant after speaking with her attorney. The officers left and returned three hours later with what they said was a search warrant. When Mapp didn't open the door, the officers forcibly entered her house. Mapp's attorney arrived and was not allowed to see her or to enter the residence. Mapp demanded to see the search warrant and when presented, she grabbed it and placed it in her shirt. Police struggled with her and eventually recovered the warrant. She was then placed under arrest for being 'belligerent' and taken to her bedroom on the second floor of the residence. The officers then conducted a widespread search of her house where obscene materials were found in a trunk in the basement. Miss Mapp was ultimately convicted of possessing these materials.

○ *CASE ARGUMENT:*

- Her side stated that all evidence discovered as a result of the search and seizure conducted, shall be inadmissible in State court proceedings because it is in violation of the Fourth Amendment of the Constitution.
 - The fourth amendment in the United States Constitution prohibits unreasonable searches and seizures and requires any warrant to be judicially sanctioned and supported by probable cause.

○ *QUESTION BEING ASKED:*

- The main issue if the case was whether evidence discovered during the search and seizure conducted was in violation of the Fourth Amendment of the Constitution and whether it should be admissible in a State court.
- **DISCUSSION:**
 - Justice Tom Clark filed the majority opinion.
 - The exclusionary rule applies to evidence obtained in violation of the Fourth Amendment's search and seizure clause in all State prosecutions.
 - All illegally obtained evidence under the Fourth Amendment of the Constitution must now be excluded.
 - Justice John Harlan filed a dissenting opinion joined by Justice Felix Frankfurter and Justice Charles Whittaker.
 - The main concern is not the desirability of the rule, but whether the States should be forced to follow it.
 - This Court should continue to forbear from fettering the States with an adamant rule which may embarrass them in coping with their own peculiar problems in criminal law enforcement.
 - Justice Hugo Black and Justice William Douglas filed a concurring opinions
- **RULING:**
 - The U.S. Supreme Court ruled in a 5-3 vote in favor of Mapp.
 - The high court said evidence seized unlawfully, without a search warrant, could not be used in criminal prosecutions in state courts.

Baker vs. Carr

- **DETAILED SUMMARY:**
 - Charles Baker was a resident of Shelby County, Tennessee. Baker filed suit against Joe Carr, the Secretary of State of Tennessee. Baker's complaint alleged that the Tennessee legislature had not redrawn its legislative districts since 1901, in violation of the Tennessee State Constitution which required redistricting according to the federal census every 10 years. Baker, who lived in an urban part of the state, asserted that the demographics of the state had changed shifting a greater proportion of the population to the cities, thereby diluting his vote in violation of the Equal Protection Clause of the Fourteenth Amendment.
- **CASE ARGUMENT:**
 - Baker sought an injunction prohibiting further elections, and sought the remedy of reapportionment or at-large elections. The district court denied relief on the grounds

that the issue of redistricting posed a political question and would therefore not be heard by the court.

- *QUESTIONS BEING ASKED*

- Do federal courts have jurisdiction to hear a constitutional challenge to a legislative apportionment?
- What is the test for resolving whether a case presents a political question?

- *RULING*

- establishing the “one man, one vote”

Reynolds vs. Sims

- *DETAILED SUMMARY*

- In 1961, M.O. Sims, David J. Vann , John McConnell, and other voters from Jefferson County, Alabama, challenged the apportionment of the state legislature. The Alabama Constitution prescribed that each county was entitled to at least one representative and that there were to be as many senatorial districts as there were senators. The process of altering the number of representatives from a given legislative district is called reapportionment. The Supreme Court took the Reynolds case because reapportionment had not occurred in Alabama (or several other states at that time) for many years, which meant some Alabamians were not equally represented in the legislature.

- *RULING*

- In a decision written by Chief Justice Earl Warren, the Court ruled that Alabama's apportionment scheme did violate the Constitution's Equal Protection Clause. Because "the right to exercise franchise in a free and unimpaired manner is preservative of other basic civil and political rights," the Court argued, the right to vote is a "fundamental right" strictly protected by the Constitution.

Eisenhower was not supportive of Senator Joseph McCarthy. This is seen primarily in his private life, because he felt the president should not publicly insult another politician., it also seen in staff notes, and in his anger at McCarthy's accusations against General Marshall.

Eisenhower did not publicly voice his opinion on McCarthy because he felt it was beneath the president to attack another politician. Although Eisenhower had yet to criticize McCarthy in public, according to an aide's memoirs, he did not hesitate to criticize McCarthy in private. On March 9, 1954 he referred to McCarthy as a pimple on the path of progress in a telephone call to Republican National Committee Chairman Leonard Hall. On the same day, President Eisenhower wrote a letter to his friend, Paul Helms, in which he privately complained about Senator Joseph McCarthy and on his approach to finding communists in the federal government.

The same trend of private grievances is seen again in staff notes from L. Arthur Minnich, Assistant White House Staff Secretary. He wrote, "The subject of the activities of Sen. McCarthy received extensive discussion at a White House staff meeting on May 22, 1953, following press reports that he was sending a letter to the White House concerning British ships used in trade with Communist China. Mr. Hagerty commented that the basis of the latter seemed to be false reports... Mr. Cutler and Mr. Jackson urged that the White House not ignore this misuse of information in a way that could embarrass the President." This shows Eisenhower most likely had a low opinion of McCarthy because he received information that McCarthy lied in his letter to him. In addition, another situation depicting the President's low opinion of McCarthy is explained in another set of staff notes written by the same man. "On the evening prior to the signing, the President issued the statement which was regarded as a blow against McCarthyism. Senator McCarthy turned up, nevertheless." This shows the President did not want McCarthy to attend because he did not like him, and hoped his statement would deter him.

Furthermore, Eisenhower was angered when McCarthy accused General George C. Marshall of aiding communist nations. General George C. Marshall was the Army Chief of Staff during World War II, and Secretary of State under Truman. He was accused of communicating with traitors because he had developed a plan to aid nations of Europe even our enemies recover from war. After the initial attack, an even more vicious assault followed. McCarthy published two books attacking Marshall's entire career and delivered a 60,000-word Senate speech that accused Marshall of being part of "a conspiracy on a scale so immense as to dwarf any previous such venture in the history of man."

This angered Eisenhower, he had been a general as well and wanted to defend General Marshall from the outrageous and unwarranted attacks. During his presidential campaign he wrote a page in one of his speeches defending Marshall. In the sixth draft of his speech "Communism and Freedom," he stated, "To defend freedom, in short, is -- first of all -- to respect freedom. That respect demands another, quite simple kind of respect -- respect for the integrity of fellow citizens who enjoy their right to disagree. The right to challenge a man's judgment carries with it no automatic right to question his honor... Charges of disloyalty have in the past been leveled against General George C. Marshall. I am not discussing errors in judgment he may have made... But I was privileged throughout the years of World War II to know General Marshall personally, as Chief of Staff of the Army. I know him, as a man and a soldier, to be dedicated with singular selflessness and the profoundest patriotism to the service of America."

This quote shows Eisenhower does not support McCarthy's claims and believes his accusations are not warranted since he wanted to fiercely defend his friend. In the first part of this draft he is actually directly talking about Joseph McCarthy and claiming he does not have integrity or respect for fellow citizens. However, because he was running for president releasing this statement to the public could have damaged his chances, so he never did.

In summation, Truman had a low opinion of McCarthy this is seen in his private life, staff notes, and in his anger at McCarthy's accusations against General Marshall.

<http://www.history.com/this-day-in-history/eisenhower-criticizes-mccarthy>

http://www.eisenhower.archives.gov/research/online_documents/mccarthyism/1953_07_15_Minich_Notes.pdf