

# Gideon v. wainwright

Law



Case Brief on Gideon v. Wainwright The Facts Gideon (defendant) was charged in Florida court for breaking and entering a poolroom with an intention to commit crime. Since he was too poor to hire a lawyer, he requested a counsel to appoint to represent him, but his request was turned down. Therefore, he represented himself; he tried his best but he was still found guilty by the jury. He appealed the trial court decision in State Supreme Court claiming that the former's refusal to appoint a state counsel for him amounted to violation of his constitutional rights. The Supreme Court appointed counsel for D (Perry 34).

#### Issue

Whether the due process clause of the 14th Amendment imposes the obligation to appoint counsel defendants who are poor on the states?

#### Holdings

The 14th Amendment makes the guarantee of counsel obligatory upon the States as it is considered a fundamental right.

#### Rationale

This holding was informed by the rationale that it is common sense that lawyers form an integral part in the due process as they ensure that defendants get fair trial, which is not only criminal justice system's objective but also constitutional requirement. The holding was also informed by the following precedents: Powell v Alabama; Smith v O'Grady, and Grosjean v American Press Co (Perry 46).

#### Separate Opinions

There were no separate opinions in this case as all the judges concurred on the ruling.

#### Analysis

<https://assignbuster.com/gideon-v-wainwright/>

The 14th Amendment imposes the obligation upon the States to appoint counsel for poor defendants. Since the defendants constitutional rights should be upheld at all times, defendants should have the right to have assistance of counsel for their defense. The 14th Amendment is very categorical that no State shall enforce any law which shall violate the immunities of the United States' citizens; nor deny any person within their specific jurisdiction the equal protection as required by the law (Perry 11). Therefore, Gideon should have been entitled to defense counsel in the trial court.

#### Works Cited

Perry, Michael. We the People: The Fourteenth Amendment and the Supreme Court. Oxford University Press, 1999.