

Facts of the case case studies example

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Gideon v. Wainwright - 372 U. S. 335 (1963)

Gideon v. Wainwright - 372 U. S. 335 (1963)

Clarence Earl Gideon was accused with breaking and entering in order to commit a petty larceny – the crime which is qualified as a felony pursuant to the Florida law. As Gideon appeared in court, he announced that he would not be able to afford legal representation of a counsel thus asking the judge to appoint an attorney at the state`s expense. The judge denied defendant`s motion on the grounds, that under the Florida law the state can appoint a counsel for the indigent defendant only in case of capital offense. Mr. Gideon had to represent himself during the course of trial procedures. He presented witnesses in his own defense, cross-examined the witnesses of the prosecution, refused to testify against himself, made arguments in his defense. The jury found Mr. Gideon guilty and the court sentenced him to a five years imprisonment.

The character of action

Gideon petitioned the court's decision in the Florida Supreme Court. He argued his conviction and stated that the court, by the act of refusal to provide a counsel, violated his constitutional right to enjoy the assistance of a counsel during the trial as stipulated by the Sixth Amendment to the United States Constitution. The Florida Supreme Court declined Gideon's appeal.

Gideon filed a petition in the Supreme Court of the United States. The Court agreed to decide on the issue whether the Sixth Amendment right for counsel assistance is applicable in state courts through the Due Process clause of the Fourteenth Amendment.

The legal issue

Whether the Sixth amendment requirement that the accused enjoys the right of counsel assistance is so essential for a fair trial that it has a binding force on the state courts through the Due Process clause of the Fourteenth Amendment.

The holding of the court

The court held that the right of a defendant for counsel assistance is an essential element of a fair trial and thus the denial to appoint a counsel for an indigent defendant in state courts constitutes a violation of the Sixth amendment which is binding on states through the Fourteenth Amendment Due Process Clause.

Majority opinion

Justice Black delivered a majority opinion of the court. The Court in the majority opinion discussed *Betts vs. Brady*, noting the striking resemblance of the facts with the following case.

The Court in *Betts vs. Brady* held, that the denial of counsel assistance to the indigent defendant does not necessarily constitute the violation of the Due Process Clause of the Fourteenth Amendment. The Court, considering all the circumstances and facts of the case, stated that the refusal to appoint a counsel for an indigent defendant does not qualify as an essential violation of the due process and, therefore, does not lead to the denial of the latter. The Court in the present case decided that the application of this rule would automatically reject the claim of Mr. Gideon, and concluded that *Betts vs. Brady* is to be overruled. The ruling in *Betts vs. Brady* contradicted the statements in the previous cases in regard to the importance of counsel assistance which is an essential part of due process. The present court in the refutation of this ruling made a reference to *Powell vs. Alabama*, the case upholding defendant`s right for the assistance of attorney, wherein it is clearly stated that this right falls under the category of the fundamental and essential rights needed to ensure a fair trial. Discussing this problem, the Court emphasized the significance of the lawyer`s services during the trial. The Court expressed the opinion, that this service is of great importance for the whole system of criminal justice and should be regarded not as a luxury that only rich defendants can afford, but as a necessity.

The Court stressed the need to adhere to the requirements of the Sixth Amendment for the due process of law, regardless of the fact whether the

case is heard in federal or state court. In its deliberation, the court referred to the opinion of Justice Sutherland in *Powell vs. Alabama* who noted that the aid of counsel is essential for fair trial; even the most educated and intelligent person without a proper knowledge of rules of criminal procedure has a small chance of establishing his/her innocence in court.

As the result of considerations, the court decided to return the case to the Supreme Court of Florida for further actions which must be consistent with this opinion.

While Mr. Justice Douglas concurred with the majority opinion of the court, he also noted the significance of the relation between Bill of Rights and the first section of the Fourteenth amendment. He emphasized the fact that since the adoption of the Fourteenth amendment, ten justices expressed the opinion that the provision of the amendment ensures that no state shall violate the rights and privileges granted by the Bill of Rights. Mr. Douglas argues that the Bill of Rights guarantees, which are applied to the states by the reason of the Fourteenth amendment, provide the same rights and privileges as applied in the federal jurisdiction.

The justice argues that the Fourteenth Amendment does not incorporate the entire Sixth Amendment, as it automatically results in the application of the whole body of federal laws to the States. He believes that states must remain independent in that aspect as their interests are different from the interests of the Federal Government.

Principle of the case

The court, by overruling the decision in *Betts vs. Brady*, established a rule that makes it obligatory for the state court to appoint a counsel for the

indigenous defender and acknowledged that the failure to do that constitutes a fundamental violation of the constitutional provisions which guarantee a fair trial and the due process of law.

Comment by the student

The importance of the rule established by this case lies primarily in its universal nature. The Supreme court has erased any limitations which previously existed in regard to the defendant`s right for the assistance of the counsel. The court in its holding recognized the indisputable character of that right that is binding on the states by the provisions of the United States Constitution. The enjoyment of that right must depend neither on the financial conditions of the defendant, nor on any other limitations imposed by the state legislation. Another aspect which was established by this decision is that a possibility to enjoy the right of counsel assistance during the trial constitutes a fundamental and integral part of a more general right: a right for a fair trial and the due process of law. The court emphasized that even a highly educated person has little chance to establish a proper defense of the case without the aid of a legal expert who has relevant knowledge and experience to guide the defendant through the court proceedings.

As a result of that ruling, the states became limited in they're ability to create any additional or special requirements to justify the appointment of the counsel by the court. The Court held that no contradictions or any kind of disparity should exist in the question of legal regulation of criminal procedure, as it directly concerns the fundamental rights for life and liberty, therefore, it cannot be a subject to any government abuse or legal

uncertainty. In this case, the court gave life to the system of constitutional immunities and safeguards in the sphere of criminal justice. This legal standard directly guaranteed that in all criminal proceedings, whether, in state or federal courts, the defendant shall enjoy the basic right of the fair trial and the due process of law, including the right for the assistance of counsel that must be provided by the state if the defendant is indigent. By establishing of this rule, the Court eliminated the possibility of the states to abridge or in any other form diminish those rights.