

## Document 8

WASHINGTON — Reluctant to overturn more than three decades of established law enforcement practice, the Supreme Court yesterday strongly reaffirmed its landmark *Miranda* [*Miranda v. Arizona*] decision, which requires police to inform criminal suspects of their rights to remain silent and to be represented by an attorney during interrogation.

In a 7-2 opinion written by Chief Justice William H. Rehnquist, the high court ruled that the requirement that criminal suspects be read their "Miranda rights" is rooted in the Constitution and cannot be overturned by an act of Congress. Federal lawmakers passed legislation seeking to undo the *Miranda* decision in 1988, two years after the ruling.

The seven justices in the majority left open the question of whether they would have reached the same conclusion as the original five-justice *Miranda* majority about the constitutional rights of criminal suspects. But citing the court's long tradition of respect for precedent, the justices said there were compelling reasons not to overrule it now.

"*Miranda* has become embedded in nation's police practice to the point where the warnings have become part of our national culture," wrote Rehnquist, a conservative and vocal critic of the *Miranda* decision during his earlier years on the bench. . . .

Source: "Miranda savings against Supreme Court says right was deeply rooted,"  
Florida Times Union, June 27, 2000

9 Based on this article, why did the Supreme Court decide not to overturn the decision in *Miranda v. Arizona*? [2]

Score: 

## Document 9

ATLANTA, Nov. 21 — As President Clinton and the new Republican leadership in Congress consider measures that would return organized prayer to public schools, it is worth remembering one thing:

Prayer is already there.

Despite a Supreme Court ruling [*Engel v. Vitale*] 32 years ago that classroom prayer and Scripture-reading are unconstitutional even if they are voluntary, prayer is increasingly a part of school activities from early-morning moments of silence to lunchtime prayer sessions to pre-football-game prayers for both players and fans.

The most common forms are state-mandated moments of silence at the beginning of the day, which are permissible to the extent they are not meant to be a forum for organized prayer. But, particularly in the South, religious clubs, prayer groups and pro-prayer students and community groups are making religion and prayer part of the school day. . . .

Source: Peter Applestone, "Prayer in Public Schools? It's Nothing New for Many,"  
New York Times, November 22, 1994

# Warren Court Dbq

**Michael Rajnik**



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