

Clarence Gideon and the Right to a Fair Trial



When the founders of the nation wrote the constitution of the United States, they sought to secure the blessings of liberty and justice for all Americans. The Bill of Rights was added to the constitution to protect the rights and freedoms of all citizens. One of these rights is guaranteed by the sixth amendment. It is the right of a person accused of a crime to have “the assistance of counsel” or the help and advice of an attorney. Before the 1960’s, however, people on trial in state courts had to pay for their own attorneys. State courts were required to provide council for defendants who could not afford it only in cases in which the death penalty was involved. As a result many poor people were tried without adequate representation. But one man’s fight for justice has ensured that all Americans, rich or poor, now can have the help of council if they want it. That man is Clarence Gideon.

In 1961 someone broke into a pool hall in Florida and stole money and food from a vending machine. Clarence Gideon, a Florida resident, was arrested for the crime. Gideon, because he was penniless, asked the state court to provide free legal counsel for his defense at the trial. The court refused Gideon’s request, saying that in cases such as Gideon’s, only federal courts were required to provide counsel. The state courts ruling left Gideon with only two choices: hire a lawyer on his own or represent himself in court. Because he had no money, Gideon was forced to serve as his own attorney at the trial. Although he was determined to convince the jury of his innocence, Gideon did not have any legal expertise. The prosecution, a professional attorney, easily won the case. The court found Gideon guilty of the crime and sentenced him to five years in prison.

Not satisfied with the state courts decision, Gideon spent his long hours in prison studying law books and researching U.S. legal procedures. Using what he learned from his determined study, Gideon sent a handwritten petition to the US Supreme Court, asking the court to review his case. The court granted Gideon’s request and agreed to hear his case. Gideon argued that the Florida state court, by refusing to appoint a lawyer for his defense at the trial, had denied him his sixth amendment right to the assistance of counsel. The justices of the Supreme Court, in a unanimous decision, agreed.

Justice Hugo Black wrote the 1963 Gideon decision for the court. Black wrote that: “any person hauled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless a lawyer is provided for him. This seems to be an obvious truth.” The Court’s ruling helped make this truth the law of the land. As a result of the Supreme Court’s decision, Gideon won the right to have a new trial in Florida. This time the state court, following the Supreme Court’s ruling, appointed a lawyer at states expense to defend Gideon. He was found innocent of the charge and was given his freedom.

When Gideon won his case before the US supreme court, he struck a blow for the rights of all American citizens. As a result of this landmark legal decision, many other people who were convicted without council won the right to new trials. Also, since the time of Gideon’s case, state courts have been required by law to provide public defenders for anyone accused of a crime who cannot afford counsel. Through his tiring quest for justice, Clarence Gideon proved that the constitution is a document that serves all Americans. Gideon knew, there can be no justice without equal justice for all.

Clarence Gideon Guided Reading Questions (GRQ'S)

1. Which amendment from the bill of rights was discussed in this article? What right does it provide?
2. Who was Clarence Gideon and what crime was he charged with?
3. How did the Florida state court respond to Gideon's request for a lawyer?
4. What were Gideon's two options? How did this work out for Gideon?
5. Once Gideon was found guilty how did he respond?
6. How did the Supreme Court rule on Gideon's case?
7. Explain why it is important that a fair democratic society offers free public defenders to those who cannot afford them even though it can be very expensive.