



AWARD WINNERS . . . Marine Zone winners of science and mathematics judging in the annual Bank of America Achievement Awards program were announced this week. Shown above (from left) are R. J. Dittmar, coordinator, Bank of America; Charles Migliazzo, chairman of the judg-

ing committee; William Thomas, Narbonne High School; Joel Primack, Gardena High School, and Virginia Cain, Phineas Banning High School.

(Photo by Lee Weinstein)

Law In Action

Courts usually decide cases by interpreting laws in the light of earlier cases. They are precedents.

But a court may overrule its earlier decisions. Since 1800 for example the U.S. Supreme Court has overruled some hundred decisions or so. Many things enter into such actions: Changing times, or new social or economic conditions, different philosophies of government, or different judges.

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A decision may be expressly overruled. In other cases, it may be distinguished on its facts, or otherwise slowly pushed aside. Take the recent segregation cases: In 1896 the U. S. Supreme Court upheld racial segregation so long as the facilities for each race were "separate but equal." Bit by bit the Supreme Court moved away from the 1896 decision.

At last in 1954 the Court overruled the 1896 case: No state could segregate students on racial grounds. "Separate" schools, the court said, are inherently unequal.

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Some decisions are never expressly overruled but lose their value as precedent by being ignored. This may come as the result of changing social and economic conditions. In recent years courts have enforced rights which courts in earlier years did not recognize. For example, the right to privacy and to protection against mental and emotional disturbance were unknown 70 years ago but are now upheld by courts in the proper circumstances.

The legislature can also change the law as declared by courts. Decisions are frequently overruled by legislation.

The importance of precedents is that they give stability and predictability to the law. But these must be balanced with adaptability to changing conditions. The law must change with the needs of the people.

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These needs are for the most part for the legislatures to decide. But in deciding cases and in applying the rules found in precedents and statutes, the courts recognize that a rule should only be followed if the reason for the rule applies to the case being decided.

"It takes a rare kind of wisdom and much courage these days for a young man to go into the service of the church. For, never in history have formal religion and its teachings been more consistently held up to ridicule by those who profess to be our 'modern' thinkers." — Alfred J. Ball, Woodhaven (N.Y.) Leader-Observer.

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