

Cartoons and the Constitution: The *Schechter* and *Wickard* Cases

An editorial cartoon is used to express an opinion about an event or a person and is nearly always political in nature, and is usually found in the editorial section of a newspaper.

The images in the editorial cartoon will often be symbols, and images will sometimes be labeled for clarity. They are often quite biting, but sometimes they take a more positive spin – or at least a more encouraging one. As the following cartoons from the debate over whether to add more Supreme Court justices in 1937 illustrate, these can be supportive or critical of a policy, or somewhere in between.

For this assignment you will write a cartoon on a Supreme Court case from Franklin Roosevelt's presidency. You receive excerpts from two major Supreme Court cases – *Schechter v. U.S.*, the so-called "sick chicken" case, which applied the more traditional understanding of interstate commerce (in this case, the court contested President Roosevelt's National Recovery Administration's attempt to force customers to choose chickens at random from a local poultry store rather than selecting the ones they preferred), and *Wickard v. Filburn*, in which the Court discarded the interpretation it had used in *Schechter* and replaced it with the more expansive understanding of interstate commerce used today. In this latter case, the court stated that a farmer who grew wheat for the livestock on his farm was engaging in interstate commerce even though he chose not to sell any of the wheat, much less across state lines, because his decision could have an impact on the overall market for wheat in other states if other farmers all did the same.

Which case (or both, or neither?) did the Court get right? What do you think of the underlying policies? Use a political cartoon to tell us what you think about one or both cases.

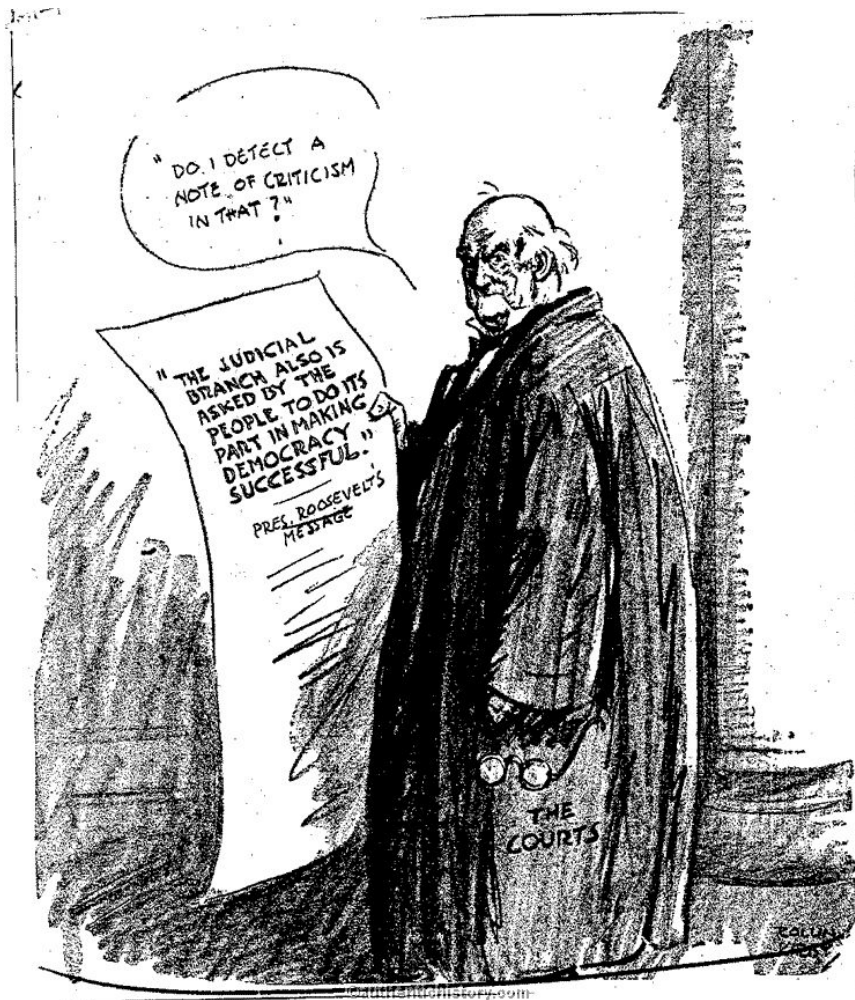
For examples, there are five cartoons from the debate over whether to add more justices to the Supreme Court.

The Spirit of '37



RICHMOND (VA.) TIMES DISPATCH
JANUARY 8, 1937
From the holdings at the FDR Library

https://www.historyonthenet.com/authentichistory/1930-1939/2-fdr/5-courtpacking/1937sc_02.jpg



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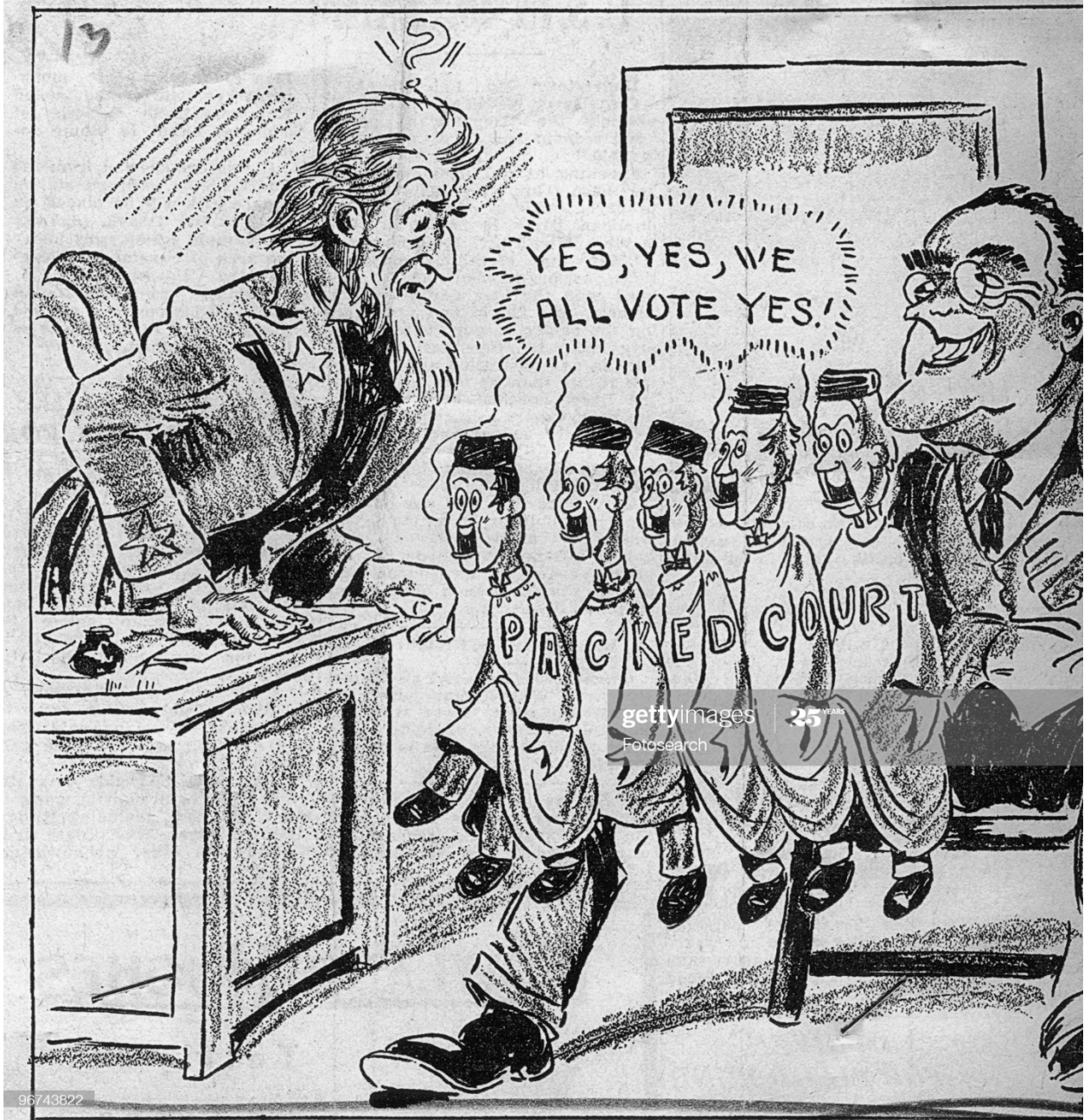
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February 9, 1937, *Brooklyn Citizen*, "He Just Ain't Fast Enough"

<https://ushistoryscene.com/wp-content/uploads/2015/04/just-aint-fast-enough.jpg>

Do We Want A Ventriloquist Act In The Supreme Court? :



<https://www.gettyimages.com/detail/news-photo/political-cartoon-with-the-caption-do-we-want-a-news-photo/96743822>