

## This week in history: June 23-29

This column profiles important historical events which took place during this week, 25 years ago, 50 years ago, 75 years ago and 100 years ago

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### 25 years ago: US Supreme Court upholds Miranda rights in *Dickerson v. United States*

On June 26, 2000, the United States Supreme Court issued its decision in the case *Dickerson v. United States*. In the face of a right-wing challenge to basic democratic rights, the court upheld the right of the accused from aggressive and unconstitutional policing practices in a 7-2 ruling.

The most significant precedent at stake in *Dickerson* was the landmark 1966 court decision *Miranda v. Arizona*. Embedded in the popular consciousness of the American people, *Miranda* guaranteed the constitutional rights of those accused before police interrogation: “You have a right to remain silent; what you say can be used against you; you have a right to counsel; if you cannot afford an attorney, one will be appointed.” The *Miranda* rule also stated that, with certain exceptions, statements made by persons under arrest, without the warnings first being given, or after the right to remain silent or to consult a lawyer had been invoked, were inadmissible in a subsequent criminal case.

*Dickerson v. United States* involved the FBI arrest and interrogation of Charles Dickerson for armed bank robbery. Dickerson’s lawyers fought to suppress his statements as evidence, since the FBI had failed to communicate his *Miranda* rights before the interrogation. The district court agreed that the evidence should be omitted in the trial, but the Fourth Circuit court overruled the lower court and called on a University of Utah professor and former law clerk of Justice Antonin Scalia, Paul Cassell, to argue their opinion at the Supreme Court.

Chief Justice William Rehnquist wrote the majority opinion. Over his 30 years on the court, Rehnquist normally sided with arch-reactionary Justices Scalia and Clarence Thomas—who had emerged as the most notorious proponents of eviscerating democratic rights—and he had publicly criticized *Miranda*. In his decision in *Dickerson*, however, Rehnquist affirmed the basic principle that *Miranda* warnings were devised to counter abusive police questioning and were needed to protect the Constitution’s Fifth Amendment guarantee against self-incrimination. He wrote that both federal and state police must follow the *Miranda* guidelines, and that Congress was impeded by judicial review from passing laws clawing back on that protection.

For the time being, the *Dickerson* case bolstered the *Miranda* precedent and removed any doubt about its constitutional status. Scalia and the section of the American ruling class dispensing with

constitutional norms took a hit, but their repeated attempts to overturn the foundations of *Miranda* and other legal safeguards of civil and democratic rights continued.

### 50 years ago: Indira Gandhi imposes state of emergency

On June 25, 1975, Indian Prime Minister Indira Gandhi imposed a state of emergency across the country. Referred to as “The Emergency,” the decree ushered in a 21-month period of authoritarian rule, lasting until March 1977. The order, a declaration of martial law over a population of more than 611 million people, was issued to crack down on growing mass anti-government protests and strikes.

Immediately following the declaration, electricity was cut off to media facilities in Delhi. Foreign news organizations were warned they would be expelled if they did not submit dispatches for censorship and were cautioned against publishing “rumors or anything that could incite contempt or hatred towards the government.” The government commandeered virtually all press and media.

Within three days, over 1,000 people were arrested, with at least 454 jailed in Uttar Pradesh, India’s most populous state, alone. Under newly passed draconian laws like the Maintenance of Internal Security Act (MISA) and the Defence and Internal Security of India Rules (DISIR), tens of thousands more would be arrested: 34,988 people were arrested under MISA and 75,818 under DISIR. All democratic rights, including habeas corpus, were suspended. Anyone found to have expressed anti-government views was targeted for arrest without trial.

Prominent opposition leaders were jailed, including Jayaprakash Narayan, Morarji Desai, and George Fernandes. Demonstrations that broke out against the state of emergency in Bombay, Poona, Ahmedabad, Bihar, and elsewhere faced immediate repression and violence from police.

The Emergency followed a period of significant social and political unrest across India. Economic challenges, including rampant inflation and rising unemployment, exacerbated by the 1973 global oil crisis, fueled widespread strikes and political opposition to the Gandhi government.

In January 1974, the Navnirman Andolan began in Gujarat. Sparked by student protests, the movement quickly grew into a statewide

general strike that forced the resignation of the local government. The Janata Morcha coalition government, elected in Gujarat following the strike, was later undemocratically removed from power by the emergency orders.

In addition to suppressing mass mobilizations, Gandhi declared the Emergency as a desperate measure to retain power after being recently exposed in a major corruption scandal. Earlier in June, the Allahabad High Court ruled that during the 1971 election Gandhi had illegally used the resources and machinery of the state to ensure her reelection. The ruling called for the nullification of her 1971 election victory and banning her from politics for six years. Gandhi issued the emergency declaration just days after the courts began moving to remove her from office.

*The Bulletin*, the US predecessor to the *World Socialist Web Site*, emphasized at the time the need for a genuinely revolutionary socialist leadership to be built in India to respond to dictatorship:

There will be no middle road. Either the working class will take power or the most brutal dictatorship will be imposed. Only a workers and peasants government, that can expropriate the landlords and give the land to the peasantry and carry out the nationalization of all enterprises under workers' control, can resolve the crisis.

### **75 years ago: Korean War commences with Operation Pokpung**

On June 25, 1950, military forces of North Korea (officially the Democratic People's Republic of Korea, or DPRK) commenced Operation Pokpung by crossing the 38th parallel, the border that had divided Korea into North and South since the end of World War II. The incursion marked the outbreak of the Korean War, between the DPRK and the Republic of Korea (ROK), the South Korean puppet regime of US imperialism that controlled the Korean Peninsula south of the 38th parallel.

In the early morning, two successful amphibious landings occurred off the northeast coast of South Korea near Kangnung, consisting of around 2,000 North Korean troops from the Korean People's Army (KPA) which quickly captured the city of Uljin.

Occurring almost simultaneously, KPA ground forces numbering some 11,000 troops and over 100 Soviet-made tanks attacked the Ongjin Peninsula, the westernmost point of the 38th parallel. The KPA began with artillery fire against South Korea's 17th infantry division, knocking out observation and communication systems. The ROK forces in the region were outnumbered about 3 to 1, and within a day were forced to withdraw, resulting in the North Korean capture of the cities of Ongjin and Kangryong.

After the first day of fighting, the KPA's eastward advance was partially stalled when they incurred heavy losses inflicted by ROK reinforcements, a delay that allowed the United States military to join the battle. Nevertheless, within a few days of the invasion, North Korean forces captured Seoul, the capital city of the ROK. Throughout the operation, ROK forces were almost entirely caught off guard, and suffered from a combination of disorganization, mass retreats and desertions of almost 100,000 combat and support troops.

The initial battle was only the beginning of a conflict which over the

next three years, killed over 3 million people, mostly civilians. Over the course of the war, many massacres were committed and covered up, particularly by US and South Korean forces. US imperialism sought to reassert its domination in the Asian region, particularly after its influence had been severely damaged by the 1949 Chinese Revolution. These considerations motivated its entry into the war, backing the dictatorial South Korean regime of Syngman Rhee, elected as president in 1948 by a constituent assembly dominated by US occupation forces.

### **100 years: French and British troops massacre protesters in Guangzhou**

On June 23, 1925, British and French troops massacred 47 Chinese protesters in the southern Chinese city of Guangzhou (called Canton at the time) in what has come to be called the Shaji Massacre.

On June 21, a mass strike by workers in Guangzhou and neighboring Hong Kong began against the domination of China by Britain, Japan, France, the United States and other imperialist powers. On June 23, nearly 100,000 assembled at a rally in Guangzhou and resolved to expel imperialist forces. "A strong anti-foreign feeling is prevalent among certain classes," the *New York Times* noted.

A mass march of Chinese workers, students and soldiers followed and besieged Shameen, the island where foreigners lived and worked. After allegedly hearing shots, French and British troops used machineguns on the protesters. Forty-seven Chinese were killed and 170 seriously wounded. Among them were cadets at the Whampoa Military Academy and several communists. Zhou Enlai, an important Chinese Communist Party leader and later the first premier of the People's Republic of China, narrowly escaped. At least four of the dead were minors.

Workers in Guangzhou had joined the mass protests and strikes in Shanghai known as the May Thirtieth Movement, which began after a Japanese guard killed a striking worker at a cotton mill on May 15 and the Shanghai police under the command of a British officer killed 13 protesting students on May 30.

By the end of June, the imperialist powers, alarmed by these developments, sent gunboats and troops to Guangzhou as they had to Shanghai weeks earlier. After the June 23 massacre, Chinese protesters fired into Shameen and killed a French national.

Additional forces of British, French and Japanese marines landed and built fortifications around Shameen. Many foreigners were evacuated to Hong Kong as protesters continued to besiege Shameen.

The Guangzhou-Hong Kong general strike lasted until October, when the nationalist Kuomintang of Chang Kai-Shek began to wind it down to put resources into its Northern Expedition to wrest territory from various groups of warlords.



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