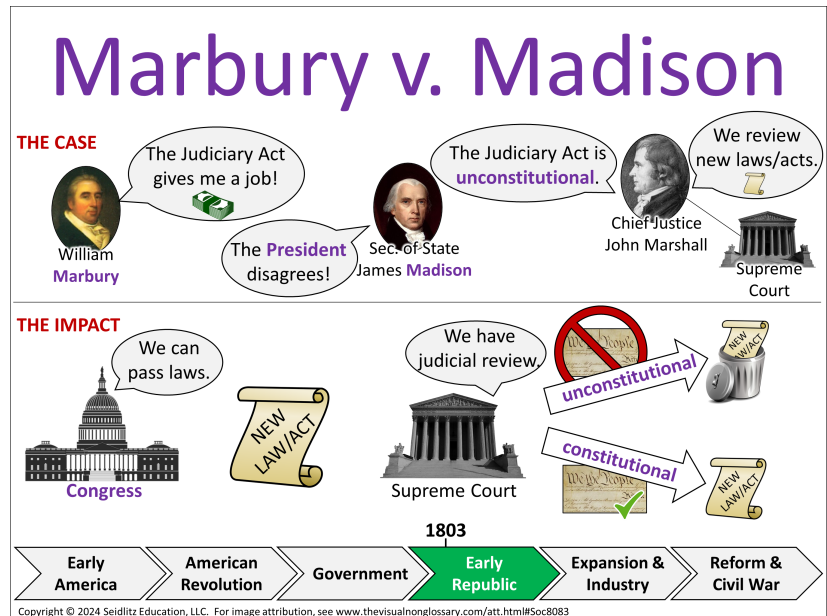


Who Can Say a Law Is Wrong?

The purpose for reading is to see how *Marbury v. Madison* changed the powers of the Supreme Court and affected the government.

Pay Attention To:

- Why *Marbury v. Madison* went to the Supreme Court
- What the Supreme Court said about Madison's actions
- What the Judiciary Act of 1789 had to do with the ruling
- The meaning of judicial review
- How this case affected the powers of the Supreme Court



Not long after the United States created its government under the Constitution, the country was still learning how things should work. Each branch had its own job. But what if **Congress** made a law that went against the **Constitution**? A case called **Marbury v. Madison** helped answer that question.

When President John Adams was about to leave office, he picked some people to be judges. One was a man named Marbury. Adams and Jefferson were political rivals, and Adams wanted to make sure his ideas would still have power after he left office. But Jefferson's Secretary of State, James Madison, refused to deliver Marbury's commission, which prevented Marbury from becoming a judge. Marbury went to the Supreme Court under the Judiciary Act of 1789, asking the Court to make Madison deliver the commission so he could become a judge. The Supreme Court said Madison was wrong, but it also said part of the law (Judiciary Act of 1789) Marbury used was **unconstitutional**. It was determined that the law gave the Court powers the **Constitution** does not allow, so the Court said **Congress** had made a mistake.

Because of this ruling, Marbury never became a judge.

This case showed how the Supreme Court checks the other branches. It doesn't make or carry out laws, but it can stop laws that are not **constitutional**. After **Marbury v. Madison**, the Court gained the power of judicial review, which means it can say no to laws or actions that are **unconstitutional**. This helped keep the balance between all three branches.

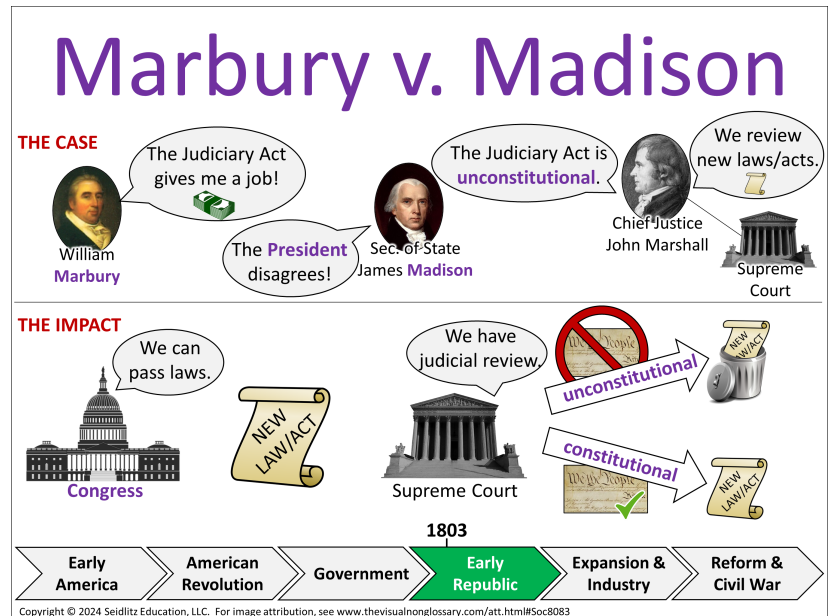


If Congress Can Pass Laws, Who Can Strike Them Down?

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Pay Attention To:

- Why Marbury v. Madison went to the Supreme Court
- What the Supreme Court said about Madison's actions
- What the Judiciary Act of 1789 had to do with the ruling
- The meaning of judicial review
- How this case affected the powers of the Supreme Court



When the United States was still a new country, the three branches of government had to figure out how to share power. One of the biggest questions was what would happen if a law made by **Congress** went against the **Constitution**. That question was answered in a case called **Marbury v. Madison**.

The case of **Marbury v. Madison** began when President John Adams, just before leaving office, tried to appoint several judges, including William Marbury. These appointments were meant to limit the power of the new **president**, Thomas Jefferson, Adams's political rival. But Jefferson's Secretary of State, James Madison, refused to deliver Marbury's commission, which prevented Marbury from becoming a judge. Marbury sued and asked the Supreme Court to force Madison to act. The Supreme Court said Madison was wrong, but it also said part of the law (Judiciary Act of 1789) Marbury used was **unconstitutional**. It was determined that the law gave the Court powers the **Constitution** does not allow, so the Court said **Congress** had made a mistake. As a result, Marbury did not get his judgeship.

This decision showed that the Supreme Court had a very important job. Even though they do not make laws like **Congress** or enforce them like the **president**, they can check both branches by deciding if a law follows the **Constitution**. After **Marbury v. Madison**, the Court gained the power of judicial review, which means it can say no to laws or actions that are **unconstitutional**. This helped make sure that no one branch of government became too powerful.

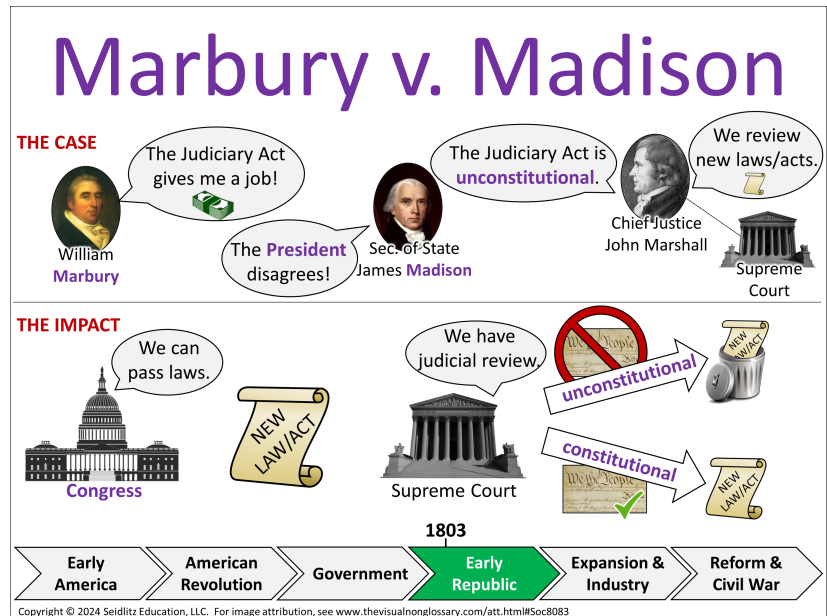


A Court's Power to Check the Law

The purpose for reading is to see how *Marbury v. Madison* changed the powers of the Supreme Court and affected the government.

Pay Attention To:

- Why *Marbury v. Madison* went to the Supreme Court
- What the Supreme Court said about Madison's actions
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- How this case affected the powers of the Supreme Court



In the early years of the United States, leaders had to figure out how the three branches of government would share power. A key question was whether anyone could stop **Congress** from enforcing a law that conflicted with the **Constitution**. The answer came from a pivotal Supreme Court case: **Marbury v. Madison**.

Right before leaving office, President John Adams appointed several judges, including William Marbury, in an effort to limit the influence of the incoming **president**, Thomas Jefferson. Jefferson's Secretary of State, James Madison, refused to deliver Marbury's commission, which prevented Marbury from becoming a judge. Marbury sued, asking the Supreme Court to require Madison to hand it over. The Supreme Court ruled that Madison was wrong, but it also found that the part of the law (Judiciary Act of 1789) Marbury relied on was **unconstitutional**. It was determined that the law gave the Court powers the **Constitution** does not allow, so the Court said **Congress** had made a mistake. Because of this decision, Marbury never became a judge.

This decision clarified the role of the Supreme Court in the system of checks and balances. Although the Court does not create laws like **Congress** or enforce them like the **president**, it can determine whether they are **constitutional**. The outcome of **Marbury v. Madison** gave the Court the power of judicial review, which means it can reject laws and actions that are **unconstitutional**, reinforcing the idea that no branch of government is above the law.

