

# Marbury v madison case and its implications



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The Head of State John Adams, who was a Federalist, lost his bid to Thomas Jefferson, a Republican, after re-elected in 1800. However, Adams and the Federalists still had power for a few months before Jefferson took office. During these months, Adam influenced Congress to pass the Judiciary Act of 1801. The Act enabled Adams to appoint some new federal judges in hope that the Judiciary would be filled with people opposed to the Republican policies and Adams appointed 39 judges. The acting Secretary of State John Marshall had to deliver the official documents for their appointments. John Marshall would later on become the Chief Justice of the Supreme Court and the originator of the Judicial review. However, he failed to deliver the documents to three judges before Adam's term ended, and in particular, the appointment of William Marbury (Infoplease, 2005).

Unfortunately, Jefferson learned of Adam's schemes and the failure to deliver the remaining documents after assuming office. Jefferson then instructed James Madison, his secretary of state, to decline the appointments. William Marbury went before the Supreme Court to issue an order compelling Madison to authorize his appointment. According to the Judiciary Act of 1789, the Supreme Court had jurisdiction to issue such orders. The major issues underlining this case was whether or not Marbury had the right to the commission and whether the Supreme Court had the authority to review the constitutionality of Acts of Congress. Additionally, the case brought light to the question of whether the Congress could broaden the scope of the Supreme Court's mandate above those specified in the Constitution (This day in history, 2009).

The Court unanimously agreed that Marbury had a right to his appointment and that the Judicial Act was unconstitutional. According to Justice Marshall, the Congress had no mandate to give the Supreme Court powers to issue an order granting Marbury his appointment. Justice Marshall argued that if Acts of Congress conflict with the Constitution, the Acts are not binding in a court of law. Also, the judiciary's responsibility was to uphold the constitution. However, the constitution did not indicate the Supreme Court having such jurisdiction. Consequently, the Court could not compel Madison and Thomas Jefferson to appoint Marbury (Infoplease, 2005).

The Court ruling in Marbury v Madison paved the way for a key precedent, the Judicial Review. Justice Marshall interpreted the Constitution to imply the Supreme Court had powers for judicial reviews. The Supreme Court had the powers to review acts of Congress and the President. Also, the Court could overrule a law they thought was unconstitutional. If laws were in conflict with each other, the Court had the mandate to decide their individual operations. The Constitution indicates that the Supreme Court had original jurisdiction in cases relating to ambassadors and public ministers. However, the Court had appellate jurisdiction in all other cases (This day in history, 2009).

Consequently, President Jefferson and the Republicans eliminated the newly appointed judges by revoking the Judiciary Act in 1802. Additionally, the Congress Impeached Justice Samuel Chase, a Supreme Court judge, but later on acquitted him (Infoplease, 2005).

## References

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