

Marbury v. madison



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In analyzing the views of the Marbury vs. Madison case one can tell that after analyzing the documents that the case resulted in puzzlement of Article III Section 2 of the Constitution. In the year of 1803 the Marbury vs. Madison case raised the question of if the Supreme Court should have the authority to overturn unconstitutional federal laws. Yes, the Supreme Court should have the authority to overturn unconstitutional federal laws.

According to Article III Section 2 of the constitution, The Supreme Court is deemed the right to scrutinize a law established by Congress if it is deemed unconstitutional as document F supports. When applying this statement to the case, the conflict originated from whether the Supreme Court was able to deem Marbury's wish constitutional or unconstitutional. Marbury's argument in this case was that he was obligated to his position as Justice of peace because the President nominated him and the Senate confirmed his commission.

This is true, Marbury was entitled to his appointment as justice of peace, but the Supreme Court was not the place where Marbury was able to get relief for his request. Since the Supreme Court has the right to reject a law that does not agree with the Constitution, the nation's highest law, the act is invalid. This supports the claim made by Hamilton in Document B. As Hamilton implied, this strips the Judicial branch of its power and gives more power to the other branches and the Supreme Court.

On the whole this weakens the Judicial branch and allows it to become the "least dangerous branch". In conclusion Marbury was entitled to his position and the evidence supported his claim. But due to the fact that the Supreme

Court was deemed the power, Ilke stated in Document J, to state that the law being used as his verification was unconstitutional, Marbury and others appointed to government post where in lack of their Justice.