

Remembering Marbury vs. Madison

Marbury v. Madison, decided on February 24, 1803 (this monday!), was one of the most important Supreme Court decisions in U.S. history. It wasn't just about whether William Marbury, appointed as a federal judge, should get his commission—it reshaped the way the federal government interprets the Constitution.

The controversy began in the final days of John Adams's presidency. Determined to maintain Federalist influence, Adams appointed a series of "midnight judges," including Marbury. However, Marbury's commission was never delivered before Adams left office. When Thomas Jefferson took over, his Secretary of State James Madison refused to approve the appointment. Marbury, believing that the Judiciary Act of 1789 allowed the Supreme Court to force Madison's hand with a writ of mandamus, took his case there.

Chief Justice John Marshall found himself in a tricky position. He needed to challenge a new administration without damaging the Supreme Court's credibility or directly defying the executive branch. Ultimately, Marshall concluded that Marbury *did* have a right to his commission, but the Court unfortunately lacked the power to make Madison deliver it. The part of the Judiciary Act that Marbury relied on was unconstitutional because it gave the Court powers beyond what the Constitution allowed.

By striking down that part of the law, the Supreme Court established judicial review—the power to interpret the Constitution and invalidate laws or governmental actions that conflict with it. At the time, this was a bold leap, since the Constitution only hinted at judicial review without explicitly granting it. Marshall's ruling eliminated that gap, making the judiciary an equal player among the three branches of government.

The byproducts of this decision have reached every corner of American law and politics. Without judicial review, our system of checks and balances would be far weaker. From landmark civil rights cases to rulings on federal authority, the Court's power to uphold the Constitution and overrule unconstitutional acts all traces back to Marbury v. Madison.

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