BLOGS

Marbury v. Madison: Landmark Case on Judicial Review

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Introduction

Marbury v. Madison, decided in 1803, stands as a landmark case in American constitutional law. It established the principle of **judicial review**, granting the Supreme Court the power to invalidate laws passed by Congress if they are deemed unconstitutional. This case, presided over by Chief Justice John Marshall, solidified the judiciary's role as a co-equal branch of government and profoundly shaped the American legal landscape.

Background of the Case

The case emerged from the political tensions between the outgoing Federalist administration of President John Adams and the incoming Democratic-Republican administration of President Thomas Jefferson.

In the waning days of his presidency, Adams appointed a number of Federalist judges, including William Marbury as a Justice of the Peace in the District of Columbia. These appointments were confirmed by the Senate, but the commissions were not delivered before Jefferson took office.

Jefferson, seeking to limit Federalist influence, instructed his Secretary of State, James Madison, to withhold the commissions. Marbury, denied his position, petitioned the Supreme Court to issue a writ of mandamus compelling Madison to deliver his commission.

Questions Raised in the Case

1. Did Marbury have a right to the commission?
2. If he did have a right, and that right had been violated, did the law provide him with a remedy?
3. If it did, was a writ of mandamus from the Supreme Court the correct remedy?

Arguments Advanced

1. Marbury's Argument: Marbury contended that his appointment was valid once it was signed and sealed by the outgoing president. He argued that withholding the commission was unlawful, and he sought the Supreme Court's intervention by requesting a writ of mandamus to force Madison to deliver the commission.
2. Madison's Argument: Madison, on behalf of Jefferson's administration, argued that the commissions had not been delivered before the end of Adams' presidency, thus they were not valid. Additionally, Jefferson and Madison opposed the appointments because they were politically motivated to entrench Federalist control in the judiciary.

Judgement of Marbury v. Madison

The Supreme Court, under Chief Justice John Marshall, ruled that while Marbury had a legal right to his commission, the court did not have the authority to compel Madison to deliver it through a writ of mandamus.

Marshall based this on the fact that the section of the Judiciary Act of 1789 that granted the Supreme Court the power to issue writs of mandamus in such cases was unconstitutional.

The court concluded that Congress had exceeded its authority in extending the court's original jurisdiction beyond what was specified in Article III of the Constitution. Therefore, the provision of the Judiciary Act of 1789 that Marbury relied on was void.

Marshall declared that the Court had the authority to review laws passed by Congress and determine their constitutionality. He argued that the Constitution is the supreme law of the land, and any law that contradicts it is void. Therefore, the provision of the Judiciary Act granting the Court the power to issue writs of mandamus in this case was unconstitutional.

Conclusion

By declaring a portion of the Judiciary Act unconstitutional, Marshall effectively established the principle of judicial review. He asserted that it is "emphatically the province and duty of the judicial department to say what the law is."

This power, though not explicitly stated in the Constitution, was implied, according to Marshall, in the structure of the government and the nature of a written constitution.

Marbury v. Madison had a profound and lasting impact on the American legal system. It solidified the principle of checks and balances by giving the judiciary the power to check the legislative and executive branches. It also affirmed the supremacy of the Constitution as the highest law of the land.

The judgement significantly expanded the power and influence of the Supreme Court, establishing it as the final arbiter of constitutional interpretation.

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