



Kittens Kick The Giggly Blue Robot All Summer

July 1, 2016

(About **Marbury v. Madison**)

“We tend to think of the Supreme Court justices as all-powerful guardians of the constitution, issuing momentous rulings from on high. They seem at once powerful, and unknowable; all lacy collars and black robes.

But they haven’t always been so, you know, supreme. On this episode of More Perfect, we go all the way back to the case that, in a lot of ways, is the beginning of the court we know today.”

Questions to focus your mind on:

1. Why is/was the election of 2016 important to the face of the Supreme Court?
2. What evidence do we have that the Supreme Court was initially seen as insignificant in its early years?
3. Do you wish you were known as “Old Bacon Face”? Just seeing if you’re really listening...
- 4. What was the main reason why John Marshall and Thomas Jefferson disliked each other?**
- 5. What was the impact of the Election of 1800 on the Federalist Party?**
- 6. Adams has a plan...what is it?**
7. What happened to “mess up” Adams’ plan?
- 8. Why was Jefferson upset by Adams’ “midnight appointments”?**
9. What was Jefferson’s plan to thwart the Federalist appointments?
10. How did Marshall professionalize the Supreme Court?
- 11. What happened to Marbury and what did he do about it?**
- 12. What did Madison have to do with it?**
13. What did Marshall want to do and why?
14. Why was Marshall “stuck”?
- 15. What did Marshall rule?**
- 16. How does this ruling make the Supreme Court more powerful? *Hint- he used the FORCE!**
 - a. An aside- the ability of the Supreme Court to determine the constitutionality of a law is called judicial review.
- 17. John Marshall later made a decision in Worcester v. Georgia saying that Native Americans were entitled to stay on their land. Jackson perhaps famously said “the court has made its decision, now let them enforce it”. What does this illustrate about the limits of the power of the Supreme Court?**
18. Brown v. Board of Education of Topeka, Kansas (1954) ruled that segregation in schools was unconstitutional (“separate is inherently unequal). The Civil Rights Act of 1964 made segregation in all public facilities illegal. Why does the commentator believe that the *people* are needed for laws to be enforced?
19. Who are the 8 justices currently on the Supreme Court? PS- There is almost no possibility that Merrick Garland will be joining the Supreme Court.