

# Who has the authority?

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## 1. Question

With the failure of the [Articles of Confederation](#), the founding fathers knew they needed to create a stronger central government.

A republican government was created and each branch had separate but equal powers. A system of [checks and balances](#) was also set in place to ensure that one branch did not become more powerful than the other.

The system of checks and balances did come with controversy – how would each branch establish their power in the new government?

[Chapter 3: Marbury v. Madison: Establishing Judicial Review \(3 min 19 sec\)](#)



All images courtesy of [Microsoft Office clip art](#).

**How did the Marbury vs. Madison court decision help shape the role of the federal government?**

## 2. Information Sources

It was easy for the President and the Congress to establish their power – their power was explicitly stated in the Constitution. However, the Supreme Court did not have explicitly stated powers.

### How did the Supreme Court establish its separate but equal power in the federal government?

1. Read and or watch the following digital resources to review the role of the Judicial Branch:

- > [Overview of the Supreme Court](#) ★
- > [World Book Student: Judicial Review](#) ★
- > [Student Resources in Context: Judiciary Act of 1789](#) ★

2. Research the Marbury vs. Madison court case:

- > [World Book Student: Marbury vs. Madison](#) ★
- > [Street Law: Marbury vs Madison chart](#) ★
- > [Our documents: Marbury vs Madison background](#) ★
- > [Our documents: Marbury vs. Madison court decision](#) ★

Task: Complete the [graphic organizer](#) based on your research.

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[2](#)

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#### Readability:

Help me understand! = ★

I can get it on my own = ★

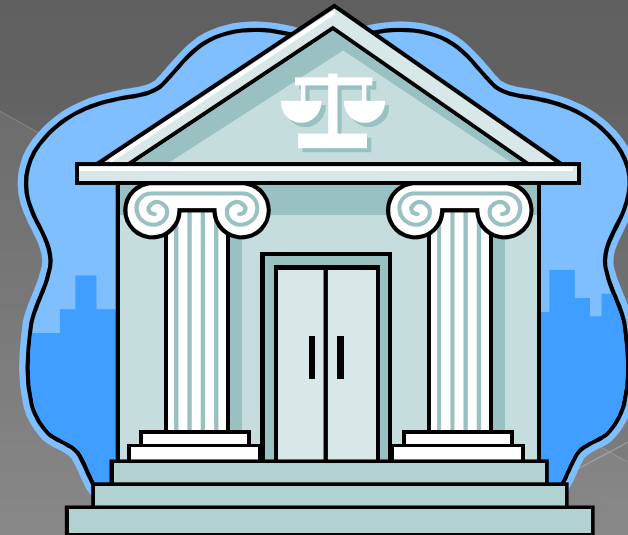
Challenge me! = ★

### 3. Student Activity

In 1800, Thomas Jefferson was elected the 3<sup>rd</sup> president of the United States. The previous president, John Adams, appointed judges before he left office, which caused a huge controversy.



- Use the graphic organizer you created while researching the Marbury vs. Madison court case, complete the [understanding checkpoint](#) to demonstrate your general understanding of the court case.
  - You do not need to save the document, but you may want to keep it open to help you with the assessment activity!



## 4. Assessment Activity

Use both the graphic organizer and the understanding checkpoint activity to help you create a written response to our enduring knowledge question from the beginning of the lesson:

**How did the *Marbury vs. Madison* court decision help shape the role of the federal government?**

Create a [written response](#) using the [6+1 writing traits](#) as a guide.

- Open the document and respond to the question



\*Refer to the [scoring tool](#) to help you construct your response. (BCPS Office of Social Studies)

\*Don't believe that this case is important?  
[Check this out!](#)



## 5. Extension Activities

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[2](#)

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\*<http://law2.umkc.edu/faculty/projects/ftrials/conlaw/satire.htm>

*"Do you ever have one of those days when everything seems unconstitutional?"*

### Additional content

1. Take a [virtual tour](#) of the Supreme Court building in Washington DC. How do the justices conduct their business?
2. The Supreme Court's right to judicial review has ruled in support of the rights of individuals. [Read these cases](#) and determine how the judicial review helps to secure the rights of the citizens of the USA. (BCPS Office of Social Studies)

### Information Literacy Skill/Process:

How can we tell if we're visiting a [credible](#) website?

1. Check the website address – is it from a non-profit organization (.org), a for profit company (.com), or a government agency (.gov).
2. Does the website have an "About us" section to explain who the publishers are? Can you contact the publishers at a mailing address and phone number as well as an email address?
3. Is there a last date of publication/update to the website?
4. Are there advertisements on the page?

Check the sources we've used in this activity to determine the credibility of the websites.

# 6. Teacher Support Materials

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## BCPS Curriculum

**Unit VI – Indicator D.2** Students will analyze the impact that *Marbury vs. Madison* had on the federal judiciary in order to determine the degree to which it represented continuity or change in the American culture.

## Maryland State Curriculum

Standard 1.C.1.c Explain the significance of the landmark U.S. Supreme Court case *Marbury v. Madison* which established judicial review.

## Common Core State Standards – Social Studies (6-8)

RH.6-8.1. Cite specific textual evidence to support analysis of primary and secondary sources.

RH.6-8.2. Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

RH.6-8.3. Identify key steps in a text's description of a process related to history/social studies (e.g., how a bill becomes law, how interest rates are raised or lowered).

RH.6-8.7. Integrate visual information (e.g., in charts, graphs, photographs, videos, or maps) with other information in print and digital texts.

WHST.6-8.2. Write informative/explanatory texts, including the narration of historical events, scientific procedures/experiments, or technical processes.

WHST.6-8.7. Conduct short research projects to answer a question (including a self-generated question), drawing on several sources and generating additional related, focused questions that allow for multiple avenues of exploration.

## Standards for the 21<sup>st</sup> Century Learner

1.1.6 Read, view, and listen for information presented in any format (e.g. textual, visual, media, digital) in order to make inferences and gather meaning.

2.1.3 Use strategies to draw conclusions from information and apply knowledge to curricular areas, real-world situations, and further investigations.

## Maryland Technology Literacy Standards for Students

3.0 : Use a variety of technologies for learning and collaboration.

**Time Frame: 2- 45 minute class periods**

### Differentiation:

- Databases provided have text features to assist in reading (audio read-aloud, embedded dictionaries)
- BrainPop includes closed captioning for student to follow along

### Learning Styles:

Field Dependent, Field Independent, Visual, Auditory, Tactile, Reflective, Global

### AVID Strategies:

- inquiry based learning, 6+1 writing traits, composition tool

### Notes to the teacher:

- Consult with your School Library Media Specialist to implement this Slam Dunk Lesson.
- Students can turn in activities by saving Microsoft documents and copying it to your school's student drive (directions on each worksheet)
- Safari Montage clip on slide 1 should be shown to entire class. A login is required and the movie title is called "The Judicial Branch".
- Remove the following links before implementing this Slam Dunk lesson: [Answer key](#)

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at <http://questioning.org/module2/quick.html>.