

Essay Question related to *Marbury v. Madison* and Judicial Review

Article III of the United States Constitution states that, “The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish... The judicial power shall extend to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority...”

Based on the quotation from Article III above, the background article on the Marshall court, and the excerpts from *Marbury v. Madison*, what is the best argument in favor of the federal judiciary having the power of judicial review, and what is the best argument against the federal judiciary having this power?

Best Argument For:

Best Argument Against: