

## Questions on Thomas Jefferson's Reaction to Marbury v. Madison

1: Looking at the first excerpt, which branch of the federal government is granted power to decide constitutionality according to Jefferson?

2: Who is the ultimate arbiter of deciding constitutionality according to Jefferson?

3: Why does Jefferson claim that if the Judiciary is able to decide the constitutionality of laws that it would be a despotic branch? (Reference section 3 and 4)

4: Do you agree that the Constitution will be a "mere thing of wax in the hands of the judiciary"?

5: What does Jefferson see as the "most harmless and helpless of all its organs"?

6: Looking at the seventh excerpt, evaluate Jefferson's statement that each branch should be able to decide for itself the meaning of the Constitution: