

Federal Power Tested

Compare how three Supreme Court decisions defined federal authority.

11.2d "Under the new Constitution, the young nation sought to achieve national security and political stability, as the three branches of government established their relationships with each other and the states."

NAME _____

DATE _____

1 READ AND MARK _____ Read it twice

YOUR JOB Circle each case name. Underline its ruling. Label the power involved: judicial review, implied powers, or interstate commerce.

The Court Defines Federal Authority

- ① The early republic faced disputes over the powers of Congress, the president, the courts, and the states. In *Marbury v. Madison* (1803), the Supreme Court held part of a federal law unconstitutional. It affirmed judicial review: courts apply the Constitution rather than a conflicting law. The Court did not order delivery of Marbury's commission because it lacked jurisdiction to issue that order in this case. The decision strengthened the judiciary's role in checking the other branches.
- ② In *McCulloch v. Maryland* (1819), the Court upheld Congress's authority to create a national bank as an implied power under the Necessary and Proper Clause. An implied power helps carry out powers the Constitution expressly grants. The Court also rejected Maryland's tax on the bank. A state could not use that tax to obstruct a valid federal institution. The ruling supported federal supremacy within the federal government's constitutional sphere; it did not eliminate state powers.
- ③ In *Gibbons v. Ogden* (1824), the Court held that Congress's interstate commerce power included navigation. New York's steamboat monopoly conflicted with a federal coasting license, so the federal authority prevailed. This ruling clarified control over trade crossing state lines. Together, the decisions established rules for resolving conflicts within the government and between federal and state authority. They strengthened federal institutions while leaving continuing debates about constitutional limits.

2 ANSWER WITH EVIDENCE _____ Use the passage

1 What is judicial review, and how did Marbury v. Madison strengthen the judiciary?

2 What two questions about federal and state power did McCulloch v. Maryland resolve?

3 Why did federal authority prevail over the New York steamboat monopoly in Gibbons v. Ogden?

4 How was the issue in Marbury different from the federal-state conflicts in the other two cases?

3 YOUR TURN _____ Your own words

In three sentences, compare how two cases strengthened federal institutions. Name each case and explain one limit on government power from the passage.

PART 1 • READ AND MARK

Circle each case name. Underline its ruling. Label the power involved: judicial review, implied powers, or interstate commerce. Accept any marking that follows this job and points at the right text.

PART 2 • ANSWERS

#	QUESTION	ANSWER
1	What is judicial review, and how did Marbury v. Madison strengthen the judiciary?	Courts apply the Constitution rather than a conflicting law. Marbury affirmed this power and strengthened the judiciary's check on the other branches.
2	What two questions about federal and state power did McCulloch v. Maryland resolve?	Congress could create a national bank under implied powers, and Maryland could not obstruct it with the challenged tax.
3	Why did federal authority prevail over the New York steamboat monopoly in Gibbons v. Ogden?	Congress's interstate commerce power included navigation, and the state monopoly conflicted with a federal coasting license.
4	How was the issue in Marbury different from the federal-state conflicts in the other two cases?	Marbury concerned judicial review and limits on federal branches; the other cases resolved conflicts between state actions and valid federal authority.

PART 3 • YOUR TURN (SAMPLE ANSWER)

Marbury v. Madison strengthened the courts' ability to reject unconstitutional laws. McCulloch v. Maryland upheld Congress's implied power to create a national bank. Maryland could not obstruct that valid federal institution with the challenged tax, but states retained other powers.

Accept accurate comparisons supported by the passage. Judicial review is distinct from implied powers and federal supremacy; these rulings did not make federal power unlimited.