

Crystallization of the US Supreme Court's Role as an Arbiter of Constitutionality of Laws

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Abstract : This paper summarizes the history of the US Supreme Court. It did not enjoy today's status. It did neither control legislation nor the executive power. It was until 1803, during Marshall's term, that it gained the pride of ruling over the constitutionality of acts be they federal or local, congressional or presidential. The Chief Justice, whether intended or not, vested such power in the supreme judicial institution via the case of Marbury v. Madison. Such power, nevertheless, had not been exercised for many years, till the Dred Scott case.

Keywords : Judiciary Acts 1789, 1801, chief justice, associate justice, justice of peace, review of constitutionality of acts, Jay court, Ellsworth court, Marshall court

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