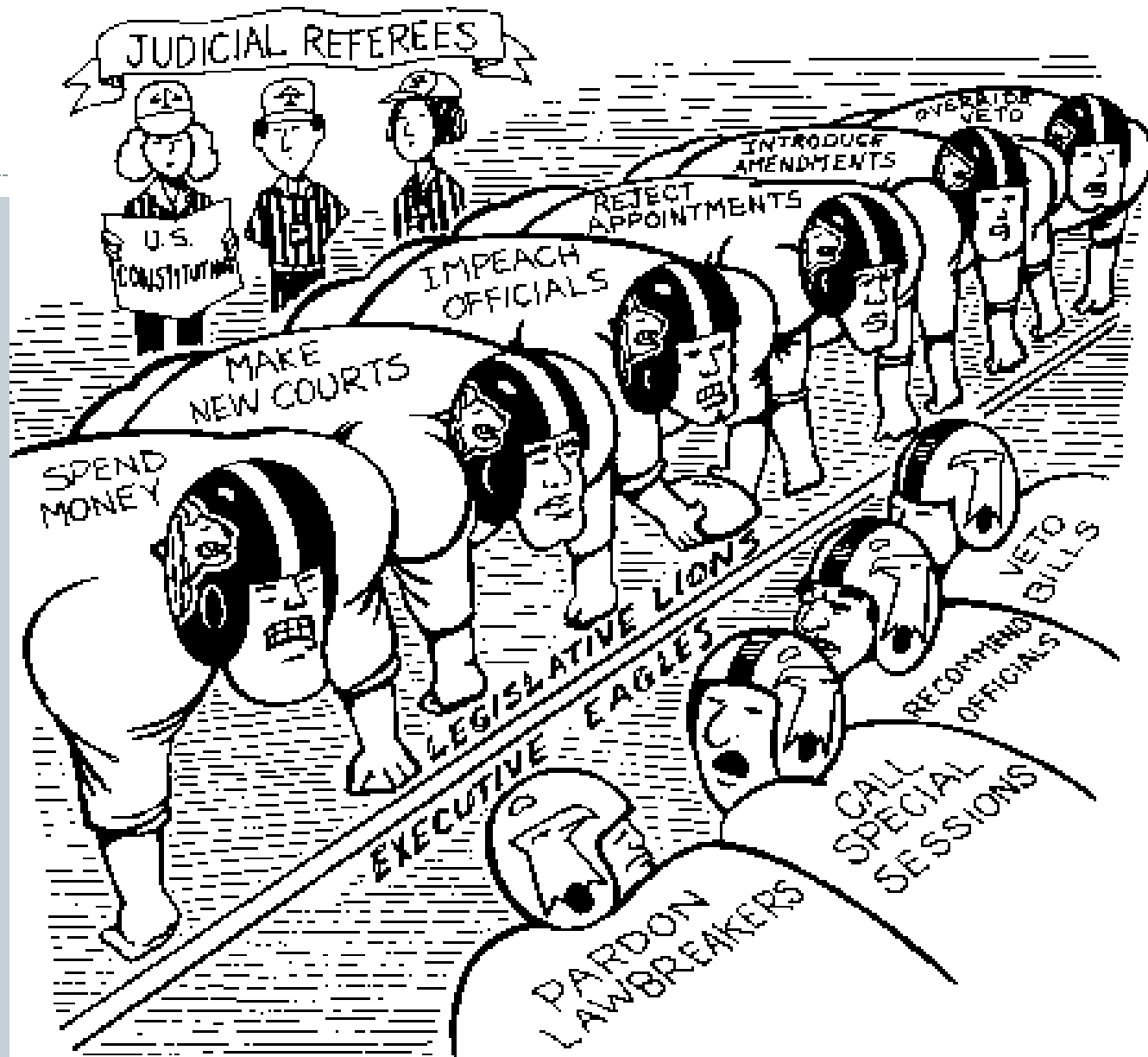


The Supreme Court

“Interpreters of the Constitution”



OBJECTIVE 2.05



HOW DO THEY EXPECT US TO STOP THEM?

“The Supreme Law of the Land”



- Judicial review- the democratic principle that **executive** & **legislative** power can be made **invalid** by the **judiciary**
- Not expressly stated in **Article 3** of the U.S. Constitution, but **implied** by structure of our government (**3 branches**)
 - Marbury v. Madison, 1803

How is the Constitution Interpreted?



- Original intent –idea that interpreters of the Constitution should determine what the authors of the document intended
 - Has been used to both limit and extend civil rights
 - ✦ Dred Scott v. Sandford (Article 4, Sect. 2)
 - ✦ Brown v. Board of the Education (14th Amendment)



I don't care
that your conviction
was overturned. Up here,
we don't follow the
Exclusionary Rule.



The Supremacy Clause



- **Article VI of the U.S. Constitution**
- ***This Constitution***, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, ***shall be the supreme Law of the Land***; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

Supremacy Clause



- Under the Supremacy Clause, everyone must follow **federal** law in the face of conflicting **state** law.

