

# The Power Is Ours

## Marbury v. Madison

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| **Grade Level** | 9th – 12th Grade | **Time Frame** | 90 Minutes |
| **Subject** | Social Studies | **Duration** | 1-2 Periods |
| **Course** | U.S. Government | | |

## Essential Question

How did Marbury v. Madison change the government's system of checks and balances?

## Summary

In this lesson, students recall their current knowledge about the Supreme Court and then analyze a political cartoon about the branches of government. An infographic and a video about Marbury v. Madison are then summarized in a graphic organizer. Students extend their learning by discussing an argumentative article that discusses the power of judicial review. The lesson is concluded by students summarizing their new knowledge.

## Snapshot

**Engage**

Students complete a Tip of the Iceberg strategy to recall their prior knowledge.

**Explore**

Students analyze a political cartoon using the T.A.C.O.S. strategy to examine the balance of power between the branches of government.

**Explain**

Students watch a video and read an infographic about Marbury v. Madison.

**Extend**

Students discuss an argumentative article about the power of judicial review.

**Evaluate**

Students finish the Tip of the Iceberg strategy and add their new knowledge.

## Standards

*Oklahoma Academic Standards (Social Studies: United States Government (9th through 12th grade))*

**USG.4.2D:** Identify the issues and describe the significance of landmark Supreme Court decisions including Marbury v. Madison(1803), McCulloch v. Maryland(1819), United States v. Nixon(1974), Bush v. Gore (2000), and Citizens United v. F.E.C. (2010)

## Attachments

- Graphic-Organizer-Handout-The-Power-is-Ours - Spanish.docx
- Graphic-Organizer-Handout-The-Power-is-Ours - Spanish.pdf
- Graphic-Organizer-Handout-The-Power-is-Ours.docx
- Graphic-Organizer-Handout-The-Power-is-Ours.pdf
- Judicial-Review-Discussion-Handout-The-Power-is-Ours - Spanish.docx
- Judicial-Review-Discussion-Handout-The-Power-is-Ours - Spanish.pdf
- Judicial-Review-Discussion-Handout-The-Power-is-Ours.docx
- Judicial-Review-Discussion-Handout-The-Power-is-Ours.pdf
- Lesson-Slides-The-Power-is-Ours.pptx
- Marbury-infographic-The-Power-is-Ours.pdf
- Marbury-v-Madison-Infographic-The-Power-is-Ours.pdf
- Tip-of-the-Iceberg-The-Power-is-Ours - Spanish.docx
- Tip-of-the-Iceberg-The-Power-is-Ours - Spanish.pdf
- Tip-of-the-Iceberg-The-Power-is-Ours.docx
- Tip-of-the-Iceberg-The-Power-is-Ours.pdf

## Materials

- Lesson Slides (attached)
- Tip of the Iceberg handout (attached; one per student)
- Marbury v. Madison Infographic (attached; one per student)
- Graphic Organizer (attached; one per student)
- Judicial Review Discussion handout (attached; one per student)

5 minutes

# Engage

Use the attached **Lesson Slides** to guide the lesson.

Show **slides 3 and 4**. Review the essential question and lesson objective.

Show **slide 5.** Pass out the attached **Tip of the Iceberg** handout to students. Introduce students to the Tip of the Iceberg strategy. Ask students to write everything they already know about the Supreme Court above the water line. Have them compare their responses with those of an Elbow Partner. Ask for volunteers to share their responses. Tell students to keep the Tip of the Iceberg handout as they will add to it at the end of the lesson.

15 minutes

# Explore

Have students take notes on a piece of notebook paper or on the back of the Tip of the Iceberg handout.

Show **slide 6.** Introduce students to the T.A.C.O.S. strategy. Have students examine the political cartoon and take notes over each part of the cartoon by using the T.A.C.O.S. acronym. Provide time for students to analyze the cartoon thoroughly.

Once students have examined the cartoon through the T.A.C.O.S. lens, introduce the Photo or Picture Deconstruction strategy as an additional guide. If students need help, point out different parts of the cartoon. Ask them to consider why those parts might be significant. Ask them to consider the color of clothing or design of clothing the animals are wearing. Have Elbow Partners compare their notes. Ask students to discuss the meaning of the political cartoon with their partner. Invite volunteers to share their analyses of the cartoon. Discuss the overall message of the cartoon. Some questions to consider include:

- Why are the animals tugging for “power?” What does “power” refer to?
- Why would the Owl use the U.S. Constitution as it watches the two sides that are tugging?
- What is the significance of Elephant and Donkey working together in the tug of war game?

**Sample Student Responses**

- Time Period. Could be current or could be past; time period is not specified.
- Action. Two sides play tug of war while the Owl watches and reads the U.S. Constitution.
- Caption: Tugging For Power
- Objects. Donkey, Elephant, Owl, Eagle, U.S. Constitution, White House, U.S. Capitol Building.
- Summary. Elephant and Donkey represent the Legislative branch fighting for power with the Eagle, which represents the Executive branch. The Owl judging the tug of war while consulting the U.S. Constitution represents the Judicial branch.

30 minutes

# Explain

Advise students that they will examine the powers given to the Supreme Court and how that power affects the Legislative and Executive branches.

Show **slide 7**. Pass out the attached **Marbury v. Madison Infographic** and the **Graphic Organizer** handout. Ask students to read the Marbury v. Madison Infographic and fill in the Graphic Organizer with an Elbow Partner. Alternatively, the infographic can be read as a class, depending on the needs of the students. After reading the infographic, show **slide 8** and play the Marbury v. Madison video for students.

**Embedded video**

https://youtube.com/watch?v=hOvsZyqRfCo

Ask students to add any information they learned from the video to their Graphic Organizers.

Ask the class to discuss the impact of Marbury v. Madison and the Supreme Court's power of judicial review. Explain to students that the judicial review was the most important outcome of Marbury v. Madison. Remind them that they will examine how the power of the judicial review has shaped and continues to shape the Supreme Court.

# Extend

Pass out the attached **Judicial Review Discussion** to students. Ask students to create groups of four.

Show **slide 9.** Ask students to read the Judicial Review Discussion handout in their groups. Once they have completed the reading, have them use the reflection questions at the bottom of the handout to guide their discussions.

Show **slide 10.** Ask each group to share their thoughts over one or all of the reflection questions. Organize a class discussion about the power of judicial review.

5 minutes

# Evaluate

Show **slide 11.** Have students return to the Tip of the Iceberg handout. Ask them to summarize the new information they have acquired about the Supreme Court and put below the surface of the water.

Collect the Tip of the Iceberg and the Graphic Organizer handouts to assess student learning.

## Resources


- History.com. (2017, Sept 14). *Marbury vs. Madison: What was the Case About*? History. [Video]. YouTube. https://www.youtube.com/watch?v=hOvsZyqRfCo
- K20 Center. (n.d.). Elbow Partners. Strategies. https://learn.k20center.ou.edu/strategy/116
- K20 Center. (n.d.). Photo or Picture Deconstruction. Strategies. https://learn.k20center.ou.edu/strategy/140
- K20 Center. (n.d.). T.A.C.O.S. Strategies. https://learn.k20center.ou.edu/strategy/1196
- K20 Center. (n.d.). Tip of the Iceberg. Strategies. https://learn.k20center.ou.edu/strategy/67
- Lock, D. (2004). U.S. Supreme Court building. [Photograph]. Wikimedia Commons. https://commons.wikimedia.org/wiki/File:US_Supreme_Court_Building.jpg