



## **Establishing Judicial Review: Comparing *Bayard v. Singleton* to *Marbury v. Madison***

### **Overview**

Students will learn the major tenets of the *Bayard v. Singleton* case in North Carolina and how it established a precedent for the United States Supreme Court's decision in *Marbury v. Madison*. Students will learn about both cases through guided notes, film clips, and discussion. Students will then compare the cases to one another, illustrating their final understanding by creating a creative and educational rap or Haiku.

### **Grade**

10 & 11

### **North Carolina Standard Course of Study for Civics and Economics**

- Objective 2.01 –Identify principles in the United States Constitution.
- Objective 2.03 – Explain how the United States Constitution grants and limits the authority of public officials and government agencies.
- Objective 2.05- Analyze court cases that illustrate the United States Constitution is the supreme law of the land.
- Objective 2.06 – Analyze court cases that demonstrate how the United States Constitution and the Bill of Rights protect the rights of individuals.
- Objective 3.01 – Identify the principles in the North Carolina Constitution and local charters.
- Objective 3.03 – Explain how the state constitution grants and limits the authority of public officials and government agencies.
- Objective 3.05- Analyze court cases that illustrate that the North Carolina Constitution is the law of the state.
- Objective 6.01 – Trace the development of law in American society.

### **North Carolina Standard Course of Study for US History**

- Objective 1.01: Identify the major domestic issues and conflicts experienced by the nation during the Federalist Period.
- Objective 1.03: Assess commercial and diplomatic relationships with Britain, France, and other nations.

### **Essential Questions**

- What were the facts of the *Marbury v. Madison* case?
- What were the facts of the *Bayard v. Singleton* case?
- What were the major implications of *Bayard v. Singleton* in North Carolina? In the United States?
- How did *Bayard v. Singleton* influence the decision in *Marbury v. Madison*?
- What process did *Bayard v. Singleton* and *Marbury v. Madison* establish in North Carolina and the United States?
- What rights in the Declaration of Rights were in question in the Bayard case?
- What rights were in question in the *Marbury v. Madison* case?

### **Materials**

- *Bayard v. Singleton* and *Marbury v. Madison* Guided Notes, attached
- "Loyalty on Trial" documentary; this video is available online at: (<http://library.law.unc.edu/research/loyaltyontrial.html>)
- LCD Projector connected to compute (if you choose to watch the Loyalty on Trial via VHS, a TV is all that is necessary.)
- *Bayard V. Singleton* Film Pause Times & Discussion Questions, attached
- *Marbury v. Madison* video clip at <http://www.youtube.com/watch?v=gV2jpZWg1TY> (optional)
- Comparing Bayard to Madison, optional worksheet attached
- "Make Your Own Marbury Rap or Haiku". optional assignment sheets attached

### **Duration**

90 minutes

