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John Marshall: The supreme hero of justice

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John Marshall: The Supreme Hero of Justice

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What makes a hero? Is it the billowing cape, the iconic mask, or the colorfully bright costumes? Do heroes have to possess some sort of superpower or come from an alternate universe? Iconic heroes such as the Flash, Superman, and Batman, check the boxes of at least a few of these stereotypical heroic characteristics, but what about reality? Instead of a cape, mask, and costume, are there more realistic heroic characteristics in the world around us? And who ultimately decides whether or not to deem someone a hero?

To answer these questions, psychologists Allison and Goethals (2011) generated a list of heroic attributes known as *the great eight* based on survey responses from people who were asked to list the traits of heroes. The eight attributes that comprise their list are: smart, strong, selfless, caring, charismatic, resilient, reliable, and inspiring. These characteristics apply to all types of heroes, even those who don't fit into the stereotypical box of heroism, showing that there can indeed exist everyday heroes who don't wear capes or

possess a supernatural ability. Although the great eight describes important heroic characteristics, it isn't a definitive checklist that determines who is and isn't a hero. Ultimately, one's heroic status is a social construction (Kafashan et al., 2017). In other words, "heroism in the eye of the beholder" (Allison & Goethals, 2011). Definitions and opinions about who is a hero, and who isn't, can vary based on people's needs and motivations (Allison & Goethals, 2017). Heroes are also identified as such because they have made a significant, positive impact on human lives.

John Marshall, a preeminent Chief Justice of the Supreme Court for 34 years, is a striking example of an individual who has been identified as a hero by most informed scholars and according to most academic definitions of heroism. To fully understand the enormity of John Marshall's heroism, it is necessary to turn back the clock and look at what life was like in the late 1700s and early 1800s. Although there is instability today within our government and law-making bodies, the instability was even more pronounced and daunting during Marshall's lifetime. Insecurity was so great that the country was in danger of tearing itself apart from the inside out, undoing all the hard work done to win independence from Great Britain several years earlier. America was struggling to build a nation on the basis of its current law bodies and constitutional arrangement, and it was in great need of certain modifications within the framework. One source of this much-needed change came from John Marshall.

Although he never wore a cape, a mask, or a costume, John Marshall did have several gifts or "powers" that stimulated this badly needed change to American legal doctrine. Simply possessing these gifts did not lead to Marshall's status as an American hero; rather, it was his actions and their resultant positive consequences that cemented his status as hero. Marshall played a pivotal role in establishing a stable set of laws that bolstered and supported the constitution, thereby serving and protecting those who have called America their home. He was helped by mentors and friends, but also opposed by enemies and those who doubted his ideas and his ability. He led a true life of heroism, utilizing the help given to him in the best way that he could, and refusing to let the opposition compromise his values or alter his course of action. His journey of heroism was composed of both external and

inner battles that ultimately led to his current status as arguably the best Chief Justice this country ever has had or ever will have.

The goal in this chapter is to uncover the true story of John Marshall by focusing on his life story and dispositional characteristics that gave rise to his heroism. This analysis will begin with a description of his heroic journey, focusing on his childhood and on those who played a central role in his heroic formation. Crucial points that led to his transformation of self and society will also be described, highlighting the important characteristics prevalent in his heroic transformations. Our analysis will then turn to a description his avowed purpose in life, also showing how his sense of meaning and purpose affected his heroic behavior and continues to affect us all to the present day. Finally, we will conclude with an overview and summative analysis of John Marshall's entire body of heroic work.

marshall's heroic journey

In 1949, Joseph Campbell proposed that all heroes throughout history, in mythology, and in literature, have traveled the various stages of the hero's journey. Campbell called this singular journey, *the hero monomyth* in storytelling. This monomyth consists of three parts: *departure*, *initiation*, and *return*. Departure occurs when the hero leaves her familiar home or place of comfort and ventures out into the dangerous new world. Initiation is the stage of suffering that ultimately brings about the transformation from someone ordinary to someone extraordinary. The return stage describes the stage of the journey during which the hero returns to her original world and bestows a gift to her community. John Marshall's life story followed this heroic pattern over many decades.

Unexpected Beginnings

John Marshall began his journey toward heroism in his home in the county of Fauquier, Virginia. Marshall's life was by no means easy. He grew up in a Frontier County, with his home positioned near the edge of colonization, perilously close to the beginning of native inhabited land (Thayer, 1904). As

a result, his family faced setbacks and hardships in the form of clashes with both the Native Americans and the French. This instability of life circumstances foreshadowed much of Marshall's life circumstances later in life. Heroes rarely enjoy the luxury of stability; the seeds of heroism are planted amidst difficult and unstable life circumstances.

John Marshall's education provides another example of unexpected beginnings. Though he did receive some education outside of the home, Marshall attributed most of his schooling to his father (Magruder, 1887). His father's role in his education stretched far beyond books and lessons, delving into how to become an exemplary model of character and morality (Craigmyle, 1933). The education Marshall received outside his home was limited to a year with a clergyman and an additional year with another respected man. Though his outside education was short-lived, he furthered his education on his own by working feverishly on shoring up his knowledge of literature and grammar. The role of his father, along with the morals and knowledge gained from studying literature, history, and the classics, helped propel Marshall into future roles, preparing him for the ultimate status as a political hero. Due to his unexpected beginnings, Marshall gained invaluable preparation for his role as the best Chief Justice of America. He could be considered a heroic underdog, fighting against the odds to earn his position among the greats (Vandelloetal.,2017).

From Frontier to Front Lines

As Marshall grew older, more problems involving Great Britain and the colonies affected him in significant ways. England's overbearing political influence on the colonies grabbed Marshall's attention, motivating him to learn as much as he could about Great Britain and also inspiring him to eventually join the ranks in opposition to England. Marshall's childhood ended abruptly when he enlisted in the army at the age of eighteen; here he entered a world of terror and destruction (Thayer, 1904). He was soon appointed lieutenant of the Virginia "Minutemen", obtaining a role of not only leadership but also of peril and great responsibility. Nevertheless, Marshall excelled in the position, eventually climbing the ranks less than a year later to lieutenant of the 3rd Virginia regiment of the Continental Army. Soon thereafter he became

captain-lieutenant of the 15th Virginia Regiment. Toward the end of his time on the battlefield, Marshall finally earned the role of Captain.

Marshall's leadership during the hardships experience as Valley Forge truly "forged" his heroism. Valley Forge was a significant time of trial for Marshall. It was known as the "Valley of Endurance" to many, serving as a major source of adversity for Marshall and countless other soldiers because of the danger and excruciatingly painful living conditions (Craigmyle, 1933). Marshall was idolized by others because of his positive attitude and consistent resistance to discouragement. His high spirits helped others remain positive as well (Thayer, 1904). Not only did the Valley of Endurance shape Marshall's mindset for the future, but it also provided evidence for his heroism as a military leader.

Marshall's Valley Forge experiences lend themselves nicely to an application of the principles of heroism science. According to the theoretical work of Franco, Blau, and Zimbardo (2011), there are three types of heroes: martial, civil, and social heroes. During his service at Valley Forge, Marshall could be considered a martial hero, someone who protects and defends in accordance with his or her job description. In other words, Marshall's position as a military leader coupled with his success in bettering the mindsets of others, could be evidence enough to earn him the status of hero. Although he certainly could be considered a hero for his actions during the Revolutionary War, Marshall is more recognized for his actions following the war, specifically his role as the fourth Supreme Chief Justice. That being said, his attainment of the Chief Justice position would have been nearly impossible without the life experiences that he obtained as a result of his time on the front.

Law Practice

After his time serving in the war, Marshall entered the practice of law, gaining a respectable position applying his legal trade. Marshall rose quickly and successfully within the practice, which he attributed to the help and support of fellow Revolutionary War veterans (Magruder, 1885). The war had rendered America a hotspot for discord, causing many cases of litigation. Nevertheless, Marshall had the encouragement of fellow friends and veterans, those who

had fought by his side in the war. The support given to him from these people resulted in higher prestige and a positive impression of Marshall in the eyes of the American public. What we can glean from Marshall's early legal career is that, consistent with nearly all tales of heroism, his climb toward heroic status was aided by friends, companions, and allies.

Marshall's Mentors

Joseph Campbell (1949) argued for the importance of mentorship during the heroic journey. Specifically, Campbell argued that a hero's inner transformation cannot occur without a wiser, older figure offering advice and counsel to the hero. It can be argued that without these important people in Marshall's life, his heroism could not have unfolded. Mentors help guide heroes along their journey, giving them not only opportunities and advice but also providing the hero with a role model after whom to model their own behavior (Allison & Goethals, 2017). In this section of the chapter, I will discuss three prominent mentors in Marshall's life: George Washington, John Adams, and Marshall's own father Thomas Marshall.

George Washington, a general during the war and the first President of the United States, is of course an iconic heroic figure in American history. Washington was also arguably one of the most influential individuals in Marshall's life. After their time in the war, Washington offered several governmental positions to Marshall, such as the office of Attorney General. Washington also encouraged Marshall to run for other positions as well, such as a seat in the House of Representatives (Adams, 1937). Marshall declined both of these positions because he wished to remain with his current legal practice.

Marshall described an encounter with Washington in regards to running for political office. During this encounter, Washington explained that it was the job of American citizens to put aside their personal lives and become a part of a greater purpose, such as service to their nation, especially in time of most need (Adams, 1937). With this in mind, it can be seen that Washington not only gave Marshall opportunities to gain political office, but also knew and stressed the importance of helping the country they had helped create. As a

result of Washington's efforts, Marshall became a candidate and later occupied a seat in the House of Representatives (Adams, 1937). Additional governmental positions followed, eventually landing Marshall as the 4th supreme chief justice of the United States. Referring to the impact Washington had on him, Marshall spoke fondly of Washington, particularly at his passing, describing him in iconic terms as the "first in war, first in peace, and first in the hearts of his countrymen" (Oster, 1967).

Though he had received little education himself, John Marshall's father Thomas went to great lengths to help all of his children grow into educated adults. In a sense, Marshall's father can be seen as a personal hero to John Marshall himself, due to his contribution of basic morals and values. In addition to classics and literature, Thomas Marshall served as mentor and role model of values and good character. John Marshall thought very highly of his father, further emphasizing the role his father played in his life: "I am indebted for anything valuable which I may have acquired in my youth. He was my only intelligent companion; and was both a watchful parent and an affectionate friend" (Craigmyle, 1933).

John Adams was a prominent figure throughout Marshall's time in politics, serving as one of the main forces that led Marshall to take on multiple political offices. Marshall's election to congress, due in part to George Washington, eventually led to the election of John Adams as the second president of the United States (Unger, 2014). John Adams enlisted the help of John Marshall on several occasions, including the XYZ affair, in which Marshall and two other individuals advocated on behalf of the president for peace between America and France. Afterwards, Adams appointed Marshall as secretary of state, although Marshall did hesitate to accept the position (Adams, 1937). Upon hearing of the president's nomination to elect him Secretary of State, Marshall wrote a letter to Adams, asking that he withdraw his nomination. Marshall explained his desire for the withdrawal, saying he did not feel himself qualified for the job (Adams, 1937). Marshall's letter appeared to have had no effect on Adam's decision, as the nomination proceeded and ultimately Marshall accepted the office as the Secretary of State. Adams played a similar role to that of Washington in Marshall's political life. Both individuals pushed

Marshall to accept government positions and grow in politics, therefore bettering the country and all its citizens.

The most important positive impact Adams had in Marshall's life cannot be forgotten, for it is this very reason that Marshall is remembered today. John Adams was faced with the decision at the end of his term to elect a new Chief Justice, and circumstances were such that the decision had to be made quickly. The urgency was due in part to Jefferson's role as next president. As stated previously, Jefferson had very different views in comparison to Adams and Marshall, and thus it was imperative for Adams to appoint someone who shared his beliefs to be chief justice. Adams first sent a letter to John Jay, who declined his offer, so he turned to Marshall. With much surprise and pleasure, Marshall accepted the position (Adams, 1937). Adams' role in Marshall's life was essential to his journey of heroism. Without Adams' offer, Marshall would not have received the justiceship, and the judicial branch of the United States might exist in an entirely different form today.

Marshall's Villains

As with all heroes, Marshall had more than his share of villains. The villainy that opposed him took many forms, from individual people to certain mindsets and norms. As mentioned by Duntley and Buss (2005), one of the many reasons societies had and will have heroes is because there is evil – forces that place society in danger or prevent society from achieving its best interests. In this case, Great Britain was infringing upon the rights of the American people, impeding the United States from building its own stable government and becoming its own individual nation. It is safe to mention that John Marshall was not the only force that led to the downfall of British presence in America and the creation of governmental foundation. Marshall worked alongside countless others who also fought against the odds to achieve what they did. Additionally, turmoil was present within America, especially after the Revolutionary War. Opposing positions and mindsets clashed, setting Americans against Americans, causing entire new problems to arise. Nevertheless, Marshall's success in taking down these villains provides further evidence of his heroic nature.

Battle of Personal Sacrifice

The first villain Marshall fought on his way to achieving heroism was, ironically, himself. Even before entering the practice of law, several individuals, particularly Washington, urged Marshall to run for dozens of governmental positions. Although Marshall occupied several high political positions early in his career, he declined almost just as many for varying reasons. One such position Marshall refused was the job of Attorney General of the United States, offered by Washington. The main reason for Marshall's consistent declines resided in the benefits and stability that his career as a lawyer offered not only him but his beloved family (Craigmyle, 1993). Because of his deep love for his family, he viewed taking a full-time government position as requiring too many self and family sacrifices (Craigmyle, 1993).

From these considerations, we can offer speculations about Marshall's motivational mindset during this period of his life, drawing from theory and research on heroism science. Dik et al. (2017) argued that there are three dimensions of a calling, one of which is that one's work not only benefits oneself but also serves a greater purpose in helping society. Marshall's eventual acceptance of his calling to a government office, specifically as Chief Justice, fulfills this greater purpose criterion for a calling. His role as Chief Justice affected the way we perceive the judicial branch and constitutional rights even to this day, providing the legal foundation on which our country operates.

Americans vs. Americans

A major power struggle in Marshall's time was between antifederalists and federalists, resulting in a sharp divide within the newly created country. Similar divisions have emerged in America's history, especially in recent political times. As the chaos around the 2016 election between Hillary Clinton and Donald Trump created divides, riots, and talk of drastic measures, the tension between antifederalists and federalists produced similar fallout in the late 18th century. Although the 2016 election differed from Marshall's situation in several regards, it provided us with a similar idea of political discord within a nation and the tension that results. It has been said that the 1780s was the "critical period" of American history. The criticality centered around

this issue: either America was going to be controlled by a central power that bound the states together in a strong national union, or the states were going to be loosely bound to each other with individual state interests driving the country (Morgan, 2009). The major difference between the two parties was the desire, or lack thereof, for a strong central government and an accompanying set of laws. Antifederalists favored the current set of laws at the time: the Articles of Confederation. These laws focused on the powers of the states and therefore went to great lengths to protect states' rights. Certain features of the Articles of Confederation, however, made governing a country like America difficult.

Because the Articles were primarily focused on states, a national strategy for collecting taxes, forming a military, and creating general overarching laws was largely nonexistent. The faults of the Articles proved to produce more difficulties than benefits in time of chaos and war, causing some to call for a new set of written laws. Nevertheless, antifederalists found it more worthwhile to tweak the Articles rather than establish a Constitution. Federalists advocated for a strong central government. At stake was the ratification of the Constitution, a national set of guidelines that was believed to make national laws the laws of the land, with supremacy over the wishes of the states (Morgan, 2009). As one can rightfully imagine, the two prevailing mindsets clashed, producing a multitude of problems.

For starters, federalists had to make changes to the constitution to win support from antifederalists, thus diminishing some of power intended for the national government. The constitution was a result of a compromise in that the bill of rights was added, allowing antifederalists to include many of their views (Morgan, 2009). The addition of the Bill of Rights, and therefore the ratification of the Constitution, was a result of enormous effort on behalf of the federalists. They advocated their case that the Constitution and a strong central power would help the country with regard to the issue of special interest groups. Additionally, federalists worked hard to gain the support of manufactures, as there was dispute over whether federalism would benefit the economy or further run it into the ground (Matson & Onuf, 1990).

John Marshall, a federalist, one of the most well-known to this day, actively advocated for these federalist beliefs. He fought alongside other well-known legendary political figures such as Alexander Hamilton and James Madison for the ratification of the Constitution and shift of power to the central government. Those who opposed him were numbered, but one in particular is essential to mention due to his strong antifederalist beliefs and hatred for John Marshall. This chief opponent was Thomas Jefferson, also a founding father. A testimony of Jefferson's sentiments towards Marshall is stated by John Quincy Adams: "Marshall has cemented the Union which the crafty and quixotic democracy of Jefferson and a perpetual tendency to dissolve. Jefferson hated and dreaded him" (Oster, 1967). Jefferson and other antifederalists made Marshall's goal to better the country even more difficult. Though he had to work with others to overcome national disagreement on the matter, his federalist beliefs continued to influence his political decision making and the way he determined cases.

XYZ Affair and the Quasi-War

The XYZ affair got its name from the letters standing for French emissaries. The affair referred to a diplomatic dispute between America and France, and its resolution provided further difficulties for the newly formed United States. The result of the affair was the Quasi-War, which wasn't resolved until two years later with the Treaty of Mortefontaine ("The XYZ Affair", 2016). The XYZ affair was a result of French capture of American merchant ships based on the United States' recent trade and peace policies with Great Britain, such as the Jay Treaty in 1796. President John Adams sent three men, one of whom was Marshall, to France in hopes of settling the dispute. Unfortunately, once they reached France, they were met by three intermediaries instead of the foreign minister, Marquis de Talleyrand, who was unwilling to meet with Marshall and his men unless they yielded to de Talleyrand's demands. For a variety of reasons, the foreign minister claimed he was owed large sums of money, resulting in disagreements and negotiation from both sides. Though a major war did not emerge from the dispute, a time of uneasiness and uncertainty followed. This era was known as the Quasi-War. Eventually, peace was negotiated and the Treaty of Mortefontaine was ratified.

For Marshall, the XYZ affair was yet another time of hardship that ultimately led to his appointment as the 4th Supreme Chief Justice. Marshall's savvy leadership helped resolve the difficult affair. Heroism scholars have noted that moments of hardships and uncertainty are what spark heroes to make a positive difference in the world (Allison & Setterberg, 2016). Clearly, this ability to overcome adversity was a central characteristic of John Marshall's heroism.

Chief Justice Appointment

The pinnacle of John Marshall's political career was his ascendancy to Chief Justiceship. His prior hardships in life, such as his time on the front, his tireless efforts in ratifying the constitution, his role in the XYZ affair, and the personal battle with himself and his priorities, all directed him on the path toward the Justiceship. It can be argued that his past roles in government and the Revolutionary War are evidence enough for his heroism, but his position as Chief Justice allowed him to leave indelibly positive marks on the United States. Scholars of heroism science have noted that "the heroic actor is a functioning biological organism that can perceive, move within, respond to, and transform its environment" (Allison, Goethals, & Kramer, 2017; Efthimiou, 2017). History has shown that Marshall most strongly and effectively responded to the call by heroically transforming the nation in his role as the 4th Chief Justice.

Marshall's Theory of Equity

John Marshall made decisions that forever changed America's political landscape and altered its trajectory, providing a solid foundation for countless laws and decisions to come. He did so by relying on his "theory of equity" as his personal motivation (Magruder, 1885). Judge Story, one who knew Marshall well, described the theory of equity as follows: "...he read not to contradict and confute, not to believe and take for granted, not to find talk and discourse, but to weigh and consider" (Magruder, 1885). Put simply, the theory of equity referred to Marshall's ability to set aside his biases and preconceived notions when rendering legal decisions. Instead, he let the facts speak for themselves, making decisions by carefully relying on facts and weighing existing information. In applying his theory of equity, Marshall exhibited

honesty and integrity, two qualities that are considered centrally important heroic traits (Kinsella et al., 2015b).

The Case of Aaron Burr

The case of Aaron Burr proved most revealing of Marshall's ability as chief justice and his dedication to the theory of equity. Aaron Burr was convicted of treason against America for actions in western territories that suggested a plan to wage war against the country. Jefferson and his administration began to prosecute Burr, presenting Marshall one of his most high-profile cases yet. After multiple rounds of court hearings and finally the Federal Court, Marshall announced the verdict. Burr was not convicted for treason due to the definition of treason stated in Article III, section 3, of the Constitution: "Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court" (Hobson, 2006). Marshall announced the final verdict, adhering to this article and therefore upholding the Constitution. His application of the theory of equity is evidenced in this case and is further supported with an important fact. Aaron Burr shot Alexander Hamilton in a duel, an iconic moment in early American history. More relevant to this analysis of John Marshall, Hamilton was said to be Marshall's friend and advisor (Craigmyle, 1933). Marshall put aside his friendship with Hamilton and probable dislike for Burr in rendering his verdict in Burr's favor.

Heroic Traits of Marshall

What traits have researchers deemed most accurately descriptive of heroism? Allison and Goethals (2011) conducted a study of heroic traits and identified eight of the most prevalent among people's choices of heroes. These scholars dubbed the eight attributes, *the great eight*. No doubt Marshall displayed most, if not all, of these characteristics. Five of the eight (caring, smart, resilient, selfless, and strong) were especially noteworthy and conspicuous in Marshall's life. Magruder (1885) observed that people who worked with Marshall and the general public knew of his abilities and his successes, but they also came to

regard him with respect and reverence. Respect soon transformed into something even greater: affection. The affection he garnered stemmed from “the attractive qualities of his heart and his kindly manners” (Magruder, 1885). No American citizen, with the possible exception of George Washington, enjoyed such popularity and appreciation. Marshall’s attractive heart and kind manners are consistent with one of the great eight, namely, the trait of caring.

Magruder (1885) described the opinion of Judge Story, who explained how easily Marshall understood and accurately interpreted any case he was given, even when not having seen the background information of the case. Furthermore, Marshall’s intellect came to the fore in cases involving international and constitutional law (Magruder, 1885). His observed expertise in these areas could be attributed to his prior experiences as a diplomat for the United States and an advocate for the ratification of the Constitution. Indeed, intelligence is one of the great eight traits of heroes that Marshall had in abundance. Resilience, another heroic attribute, also accurately described Marshall in all aspects of his life. Not only did Marshall survive the hardships of Valley Forge, his boundless optimism and support for others helped save lives during that painful ordeal. We can also look at later points in his life to observe evidence of resilience. One example is his persistence in negotiating for peace between the United States and France during the XYZ affair.

Another great eight trait of heroism that Marshall displayed during his time in the Army is strength. Marshall as a young man was known for his great athletic ability (Thayer, 1903). His speed and agility were legendary, apparently surpassing those of all other men in the army. Marshall’s strength served him well later in life, allowing him to endure many difficult situations that required strength and stamina to conquer. His time as a captain during the war required a special kind of strength and fortitude to survive, as did his decision to take a government position after years of fighting an inner battle within himself.

According to Magruder (1885), Marshall “never sought official station nor public honors, but often shunned them...” Rather than seek any particular high-ranking position, he was always offered them by others (Magruder, 1885). Many can argue that the pursuit of power can lead to disastrous, rather

than heroic, leadership. The obverse of this point can be applied to Marshall's trek towards heroism. Marshall never had any true, deep yearning for self-seeking power; he yielded to duty and authority, and he took on positions of that offered opportunities to serve others. His life choices offer abundant support that he possessed the great eighth trait of selflessness. Instead of focusing on his wants and needs, he assumed political offices to fulfill the requests of others and to serve others, exemplifying true selflessness. He was a true altruist, a central component of heroism (Fagin-Jones, 2017). Altruism is characterized by voluntarily helping another at the expense of oneself and without any expected reward. John Marshall's life of selfless service to others was emblematic of deep and genuine altruism.

Although the great eight provides us with a good starting point for describing heroes, Kinsella et al. (2017) add to our understanding of heroism by emphasizing the importance of heroic characteristics such as warmth and competence. Kinsella et al. (2017) argue that warm and competent people are often viewed as heroes, an idea consistent with Allison and Goethals' (2011) contention that morality and competence are two central heroic attributes. Even some of John Marshall's political enemies wrote that while they disagreed with Marshall, they admired and liked him personally. Martin Van Buren was one of these political enemies, stating that Marshall was admired, "as the ablest Judge now sitting upon any judicial bench in the world" (History.com staff, 2009). Martin Van Buren's testimony powerfully illustrates that even Marshall's enemies noticed he was extremely competent in his profession and admired his impeccable character.

Functions of Marshall's Heroism

Kinsella et al. (2015) proposed that heroes serve three functions: enhancing, moral modeling, and protecting. Heroes whose function is to enhance are those who serve as role models to the public and devote their lives to improving the quality of other people's lives. Moral modeling describes the function of those who tend to role model and advocate for the values and virtues of society. Protecting heroes defend from villains and from dire threats. These three categories are not mutually exclusive; a hero can serve more than one function, even all three of them.

John Marshall easily fits into all three of these functional categories, but for the purposes of this chapter we will focus on how Marshall most notably served the protecting function. Marshall protected American citizens and government rights. His consistent avocation for a strong central government was intended to protect the presidency and the other branches of government, while also honoring certain states' rights. Before Marshall assumed the position as the fourth Supreme Chief Justice, the judicial branch (the body that determines whether or not laws violate the constitution) had little to no power. With Marshall's term and court decisions, such as the implementation of judicial review, he bolstered and defended this branch of government. In doing so, he instilled a support system for the people, ensuring laws made in the legislature did not violate citizens' personal rights granted to them by the constitution.

Marshall as a Transformed and Transforming Hero

Allison and Goethals (2013) proposed a taxonomy of heroism based on the type of influence that heroes have on those around them. Their taxonomic subtypes include transitional, transparent, trending, and transforming heroes. More than any other type of hero, John Marshall was a transforming hero. Allison and Goethals define transforming heroes as "those individuals whose actions have significantly transformed the society in which they live." John Quincy Adams, the sixth president of the United States, said this of Marshall: "Marshall, by the ascendancy of his genius, by the amenity of his deportment, and by the imperturbable command of his temper, has given a permanent and systematic character to the decisions of the court, and settled many great constitutional questions favorably to the continuance of the Union" (Oster, 1914). John Quincy Adams admired the fact that Marshall helped establish constitutional precedents and cases that exert influence on Americans to the present day.

The transformation of an ordinary person into someone extraordinary is arguably the most important component of a hero's journey. Joseph Campbell (1949), widely known for his heroic journey consisting of a departure, initiation and return, described the hero's monomyth as follows: "A hero ventures forth from the world of common day into a region of supernatural wonder:

fabulous forces are there encountered and a decisive victory is won: the hero comes back from this mysterious adventure with the power to bestow boons on his fellow man” (Allison & Goethals, 2017). In addition to the hero undergoing a personal inner transformation, the hero transforms society through his or her heroic actions and deeds. What ultimately makes heroes “heroic” is their positive transformative effect on society. John Marshall successfully transformed American society by using his judicial powers and attributes to serve his country, establishing a solid foundation on which our governing bodies exist today.

Marshall, known as “The Great Supreme Justice”, fought for our country’s judicial system and ideals. His transformation into a well-known and highly regarded historical hero began on the battlefields of our Revolutionary War. As with many heroes, Marshall hit rock bottom before rising to the top, a theme commonly seen in hero transformations (Allison & Setterberg, 2016). He fought for our country, witnessing staggering amounts of death, suffering alongside other soldiers, freezing at Valley Forge, and enduring the physical pain associated with battle wounds. Marshall fought through pain and discomfort while climbing through the ranks of military leadership, eventually ascending to the role of captain.

Another core aspect of a hero’s transformation is the presence and pivotal role of a mentor figure. George Washington served as this figure for John Marshall, both on and off the battlefield. Between helping him climb up the ranks of military leadership and advocating for his participation in governmental bodies, Washington was a leading catalyst in Marshall’s transformation. Suffering begets heroism (Allison & Setterberg, 2016). Toward the end of his life, Marshall recognized that his rough experiences at Valley Forge were foundational to his development, shaping his opinions that would later affect the young country he represented. According to Craigmyle (1933), hardships experienced at Valley forge enhanced Marshall’s patriotism for his country along with instilling in him the belief that America should be founded on a set of fundamental set of laws, or constitution. Marshall’s federalist beliefs were based on the notion of a strong central government as opposed to strong state governments, showing his desire for national unity and one unifying constitution. He devoted his life to providing justice to his country by serving

on the House of Representatives, Virginia Assembly, and most importantly, becoming America's fourth Chief Justice.

His Societal Transformation

After persevering through the nightmarish experience of war, John Marshall acted on his beliefs regarding our government, impacting our society in ways that are still evident today. Marshall is credited with creating a valuable judicial branch that is equal to both the legislative and executive branches. Before Marshall became the chief supreme justice, the judiciary branch was quite commonly seen as "less-than" the other branches, lacking impact and respect. To remedy this problem, Marshall implemented judicial review, established in *Marbury vs. Madison*. He believed that the judicial branch should have the power to deem an act of the legislative or executive branch unconstitutional, therefore ensuring the safety and stability of the country and its people.

Marshall emphasized that it was not his intention to create a judicial branch stronger than the other branches. His intention was to create an equal platform for everyone while protecting the integrity of the government. In short, Marshall forever transformed the judicial branch from a position of inferiority to an essential necessity. The equal distribution of power that Marshall established has kept our government stable and secure for more than two centuries. Additionally, he put great emphasis on protecting the constitution and the rights associated with it. Through the necessary and proper clause, established in *McCulloch vs. Maryland*, congress was granted implied powers to ensure the implementation of expressed powers. Even though this gave more power to congress, it allowed for certain constitutional powers to be carried out. Furthermore, Marshall made sure states didn't have total sovereignty, arguing that state action cannot interfere with the federal government's constitutional powers (*McCulloch vs. Maryland*). Not only does this keep states from straying significantly from the central government, it protects the central government and therefore the branches within it. These results offer further evidence of Marshall's ability to transform his constitutionalist views and desires into beneficial outcomes for society. In essence, John Marshall's role as Supreme Chief Justice led to a stronger judicial branch, more constitutional

protection, and greater equality among governmental bodies. In this way, Marshall engineered a profound transformation of American society.

Dimensions of Marshall's Transformation

Although all heroes follow a similar transformative path of departure, initiation, and return, it is important to appreciate the differences in the dimensions of transformations within Marshall's journey. To understand these differences, we refer to Allison and Goethals' (2017) conception of the dimensions of the hero's transformation. Some important dimensions in this list include (but are not limited to) direction, duration, and type. These dimensions account for the variability of transformative change among different types of heroes.

Based on the direction of his transformation, which can be categorized by three heroic arcs (classic, enlightened, and redeemed), Marshall can best be understood as a classic hero. Classic heroes begin their journey as an ordinary person and soon becomes transformed into someone extraordinary (Allison & Goethals, 2017). This pathway describes the life trajectory of John Marshall. He never appeared to have gone through a "villainous" stage but rather experienced a transformation from an ordinary to an extraordinary individual, an idea perfectly aligned with Campbell's (1949) hero monomyth. As stated above, his role in the war, specifically his part in Valley Forge, constituted a major part of his journey that helped transform Marshall into a remarkable person.

Furthermore, the duration of Marshall's transformation is worth noting. Marshall's transformative influence on society has spanned decades, even centuries, demonstrating that the products of his transformative period created long-lasting outcomes in American society and in American government. The products of his heroism include the many groundbreaking case rulings mentioned earlier, such as *Marbury vs. Madison*. The precedents established by these pivotal court cases still hold sway today, and the main mastermind behind such decisions was John Marshall himself. Additionally, court case rulings within the American system tend to serve as the backbone for future

rulings. Thus, the effects of Marshall's actions taken more than two centuries ago are still reverberating today.

Allison and Goethals (2017) and Allison and Smith (2015) further describe different types of heroic transformations. These include moral, emotional, spiritual, intellectual, physical, and motivational transformations in heroes. Although Marshall's primary transformation could potentially fall into all of these categories, several aspects of his journey point especially to an intellectual transformation. Allison and Goethals (2017) and Allison and Smith (2015) describe an intellectual transformation as "featuring a change in mental abilities or fundamental insights about the world." Marshall's strong constitutional beliefs of law and unity fall under this category. Moreover, as mentioned earlier, John Marshall's three main mentor figures – George Washington, John Adams, and Thomas Marshall – all contributed to molding and transforming young John Marshall's sharp intellect.

Meaning and Purpose

According to Green et al. (2017), meaning is defined as the "combination of coherence (understanding how life's events and one's identity fit together), purpose (orienting life toward something greater than oneself), and significance (one's life makes an important contribution to humanity)." These three components all contribute to the concept of meaning and purpose. Bronk and Riches (2017) delve deeper into how specifically purpose interacts with heroism, providing evidence for the role of purpose in a hero's actions and journey. Purpose would seem to relate to Allison and Goethals' (2011) great eighth trait of selflessness. One's heroic purpose can reside in selfless service to others. Marshall clearly displayed a life purpose of service as evidenced in his years on the battlefields and in his long and storied career as the most influential chief justice of American history. Marshall's desire for a unity and justice was evident in his leadership against Britain's colonial rule. As he began to practice law and delve into politics, his desire to strengthen the United States and provide it with a foundation of assurance and protection became clearer. The decisions he made as a Chief Justice are arguably the most important factors when discerning his purpose in life. Marshall actively pursued a united American government, built on the foundation of a strong

central government with major powers while not undermining citizen rights and state roles. His purpose in implementing such a system was instrumental at the time and still pervades the political sphere today.

conclusion

I began this chapter with the question: What makes a hero? As John Marshall's life suggests, it is not the bright colored tights, or the mask, or the cape, that earns someone the status of a hero. Nor is it superhuman strength or super speed. Rather, it is one's mission in life and sustained sense of purpose expressed in a desire and commitment to serve others rather than oneself. Foremost, it resides in one's willingness to make self-sacrifices. Marshall's consistent pursuit of a stronger and safer America, coupled with the desire to protect the government and citizens for generations to come, is evidence of his heroic purpose. In essence, John Marshall is a hero of the past, present, and future.

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