

Are The Three Branches In Our Governments To Be “Co-Equal”?

We are constantly told and taught that our government has three “co-equal” branches. But our historical documents prove that this is not what the framers of the State Constitutions and the Constitution for the United States of America intended.

James Madison stated, among other things, in Federalist Paper #51: **“In republican government, the legislative authority necessarily predominates.”**

In Federalist Paper #78, Alexander Hamilton stated, in part:

“It proves incontestably, that **the judiciary is beyond comparison the weakest of the three departments of power**¹; that it can never attack with success either of the other two; and that all possible care is requisite to enable it to defend itself against their attacks. It equally proves, that though individual oppression may now and then proceed from the courts of justice, the general liberty of the people can never be endangered from that quarter; I mean so long as the judiciary remains truly distinct from both the Legislature and the Executive. For I agree, that “there is no liberty, if the power of judging be not separated from the legislative and executive powers.”² **And it proves, in the last place, that as liberty can have nothing to fear from the judiciary alone, but would have every thing to fear from its union with either of the other departments.**

1. The celebrated Montesquieu, speaking of them, says: “Of the three powers above mentioned, the judiciary is next to nothing.” -- *Spirit of Laws*. Vol. I, page 186.

2. *Idem*, page 181.”

The framers were well-educated men who were very familiar with history, politics, economics and the law. They were well aware of the threats that corrupt attorneys and judges pose to our freedom and liberty. In fact, in the 1776 Constitution of Pennsylvania, attorneys were not allowed to serve in the General Assembly. This fear has long existed.

Today attorneys, judges and justices control virtually every aspect of all three branches of government. Others in government hesitate to do anything of substance without the approval of an attorney and/or the alleged “authority” of court decisions.

The primary duty of those in the Executive Branch, at all levels of government, is “to see that the laws are faithfully executed”. From the quotations presented herein above, it can correctly be concluded that the Executive Branch is neither the strongest nor the weakest department, but it acts between these two extremes.

Obviously the framers intended the federal Legislative Branch, as the representatives of the People and of the States, to be the strongest. Then the Executive Branch, is to enforce the laws. And finally, the Judicial Branch is intended to be the weakest branch. This is also evident from the order in which the discussions of the three departments are presented in the Constitution for the United States of America: Article I – Legislative, Article II – Executive, and Article III – Judiciary. They are NOT to be “co-equal” branches!

The effort to corrupt this most apparent correct understanding of our lawful structure of governments started with the intentional misinterpretation and unconstitutional application by attorneys, judges and justices of Chief Justice John Marshall’s 1803 A.D. decision in Marbury v. Madison. Today, we “have every thing to fear” from the Judiciary because it has joined all three departments under their control! Just objectively look at how things actually now operate. We must all learn our true, written history and law.

All those in government are required by their constitutional “oath of office” to strictly follow the founding documents (Constitutions, etc.) according to their original meanings.