

Why Just Three Branches of Government?

The United States of America, a successful nation defined by its form of government, historical achievements, and freedom. But why did the Founding Fathers construct the United States Government as they did? Why only three branches, over more or less? Therefore, had the Founding Fathers created more or fewer branches of government in the Constitution, the United States government would have become weak and unsustainable.

First, why just three branches? There are many answers, but only some will be addressed here. The first answer is the rhetorical device of “The Rule of Three’s”. Many of the Founding Fathers would have been well aware of this rhetorical device as they were classically educated, having read works by Plato, Socrates, and Aristotle. This rule states that three “points” or “arguments” are best to capture the audience and move them to the truth, as less will leave a void of lost opportunity, and more will lose the audience. While the United States Government is not a speech or essay, it is a system, and this rule can be applied when looking at the division of responsibilities between the three branches. The Founding Fathers spent much time debating over what the Federal Government would have the power to do, and while their power is little, their responsibilities are great. Having two branches would have overloaded each branch with responsibilities and power, while having more would have led to a bureaucratic nightmare when something needed to get done. Fortunately, these responsibilities have been divided among the Executive, Legislative, and Judicial branches in such a way that each has their own tasks, while also still subject to one another. Regardless, their powers are still limited, as James Madison said:

“The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite.”¹

Second, one could say that this is speculation, but is it? There are historical implications of this, as if one were to look at the Roman Republic, which was a 2 branch system, while it lasted a long time, it was lacking. From having no judicial system, it left the courts to be more of an informal meeting where both parties appoint a “judge” rather than there being a person whose job is being a judge. While this worked and there was less need for a court system back then, this also eventually aided in the downfall of the Roman Republic into the Roman Empire. Now, what about a four branch government? One can look at the Qing Dynasty, which had four branches: the Emperor, The Grand Secretariat, The Six Ministries, and The Censorate. The only difference from this to the United States is the addition of a “Central” or “Supreme” branch, that being the Emperor who has absolute authority. But this also has a flaw, as giving power to one, over the few results in a dictatorship which can lead to oppressions, poverty, and overall lack of citizen oversight as the Emperor appointed everyone in the other branches, this could also lead to tyrannical rule. While both governments lasted a long time, longer than The United States currently has, were their cultures better? Was their general welfare superior, or their economic status greater?

Finally, checks and balances, one reason for the strength and anti-tyranny the American Constitution provides. First, what are checks and balances? As James Madison says in *The Federalist Papers*: “If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you

¹ James Madison, “Federalist 45” in *The Federalists Papers (1787-88)*, eds. Alexander Hamilton, John Jay, and James Madison (Indianapolis, Indiana: Liberty Fund, Inc., 2001), 241.

must first enable the government to control the governed; and in the next place oblige it to control itself.”² Checks and balances are used within the United States government for the government to govern itself. This is because man is fallen, otherwise no government would be needed. Checks and balances also provide a way for the different branches of government to be accountable for each other, and to prevent one branch from becoming more powerful than the others. For example, if Congress passes a bill, it goes to the President, the President then has ten days—excluding Sundays—to veto the bill or it will become law, but if he vetoes a bill Congress can reconvene and pass it again to make it law. But then the Supreme Court can declare that law unconstitutional—if it makes it to court—and the law is again removed. While this is just one example, there are many more that were established to allow sustainability and power balance within the government. It has also created a strong tie between each branch, as one can not survive without the other. For instance, the President cannot make a law without Congress, and the Supreme court cannot change the law without it first being enacted into law. Thus, checks and balances create a powerful yet balanced government where no one branch is superior to the others.

The United States Constitution and, in return, the United States Government works in a three branch system. Because of the “Rule of Three’s” which states that three points—branches—are best as two leads to a lack and four or more lead to much dispersion. Historically, two and four branches lead to dictatorship, emperor ship, or tyrannical rule. And lastly, checks and balances, which result in a power balance between all branches, not allowing one to acquire power over the others. In conclusion, the three branches of government in the Constitution result in a government that is strong and sustainable.

² James Madison, “Federalist 51” in *The Federalists Papers (1787-88)*, eds. Alexander Hamilton, John Jay, and James Madison (Indianapolis, Indiana: Liberty Fund, Inc., 2001), 269.

