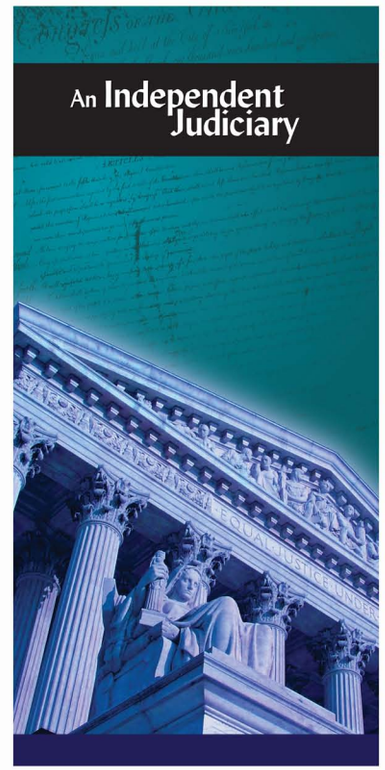

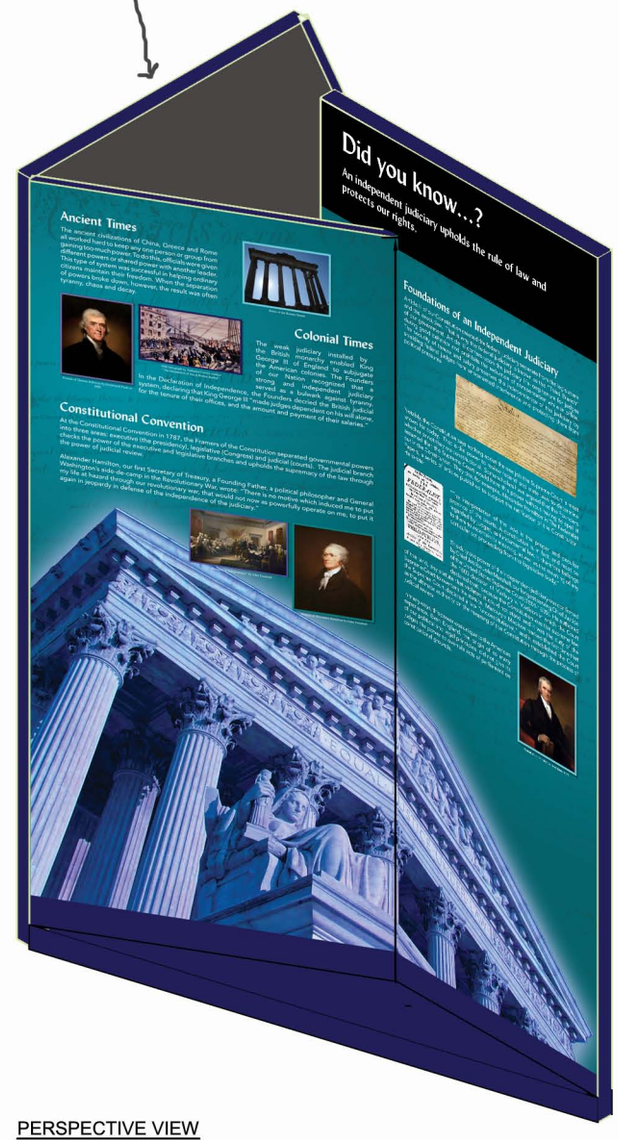

PERSPECTIVE VIEW

Project:
New Mexico Bench & Bar Soc
Fed Courthouse Lobby Display
2010

Show Name:
New Mexico Bench & Bar Soc
Fed Courthouse Lobby Display
2010

Show Dates:
3/24/2009 through 5/11/2009

Show Location:
Type You Own

Producing City:
Dallas_Corp

Account Executive:
Type You Own

Project Number:
C&P# 4712

Created By:
Sha Tao

Creation Date:
11/24/2009

Revised:
1/21/2010

File Name:
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Jobs_2010 \ Exhibits \
NewMexicoBench&BarDisplay_#47
\ CAD \ NM-kiosk(01-21-10).dwg

105 Park Lane
Brisbane, CA 94005

415-330-6200
415-330-6202

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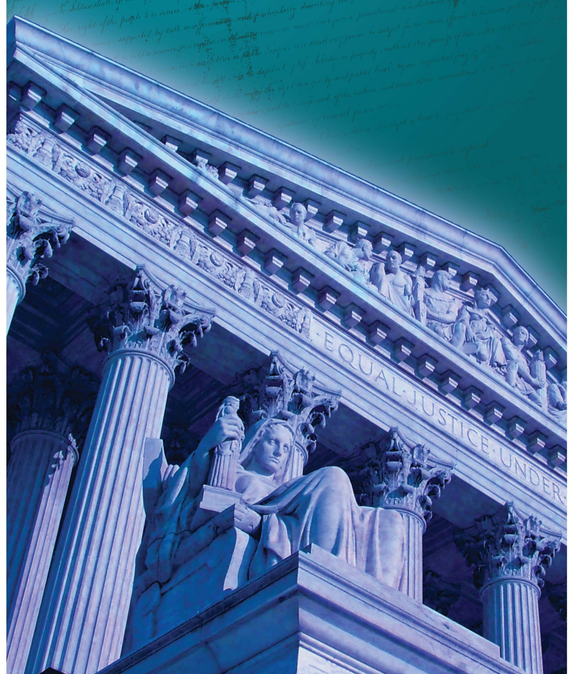
FREEMAN

An Independent Judiciary



Did you know...?

An independent judiciary upholds the rule of law and protects our rights.

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The ancient civilizations of China, Greece and Rome all worked hard to keep any one person or group from gaining too much power. To do this, officials were given different powers or shared power with another leader. This type of system was successful in helping ordinary citizens maintain their freedom. When the separation of powers broke down, however, the result was often tyranny, chaos and decay.

Ruins of the Roman Senate

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The weak judiciary installed by the British monarchy enabled King George III of England to subjugate the American colonies. The Founders of our Nation recognized that a strong and independent judiciary served as a bulwark against tyranny. In the Declaration of Independence, the Founders decried the British judicial system, declaring that King George III "made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries."

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Alexander Hamilton, our first Secretary of Treasury, a Founding Father, a political philosopher and General Washington's aide-de-camp in the Revolutionary War, wrote: "There is no motive which induced me to put my life at hazard through our revolutionary war, that would not now as powerfully operate on me, to put it again in jeopardy in defense of the independence of the judiciary."

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Article III of our Constitution created the federal judiciary separate from the legislature and the executive. That is why the federal judiciary is known as the "Third Branch" of our government. Article III confers upon the judiciary life-long tenure for judges during good behavior and prohibits the reduction of compensation while in office. The security of tenure and salary preserves the independence of the judiciary by shielding federal judges from unwarranted interference and protecting them from political pressures.

Article III

Notably, the Constitution says nothing about the one job the Supreme Court is most known for today. That is the power to review federal and state laws to determine whether or not they are constitutional. Some scholars have argued that the Founders assumed that the Supreme Court would have this power without having to spell it out in the Constitution. They cite, for example, Alexander Hamilton in The Federalist Papers, a series of articles published to support the ratification of the Constitution. He wrote:

JOHN JAY,
and Gentleman with the Author,
THE
FEDERALIST,
A Collection of Essays, written in the Cause of the Constitution, as agreed upon by the Convention, by a Citizen of New-York.
Conclud'd by the Author, with Affection to his Country.
The more such Essays are read in the Light and Spirit, in which they are wrote, the more will Men be convinced, that the Adoption of our Constitution is the Work of Wisdom, and Publick Spirit.
To which are added, a Letter from Phocion, on the Subject of the Constitution, and Remarks on Mr. Mason's Objections.
To which the Author, more recently, in the Character of Publius, has added, a Vindication of the Principles, and Parts, of the Constitution, in Dispute between Mr. Jefferson and Mr. Hamilton.
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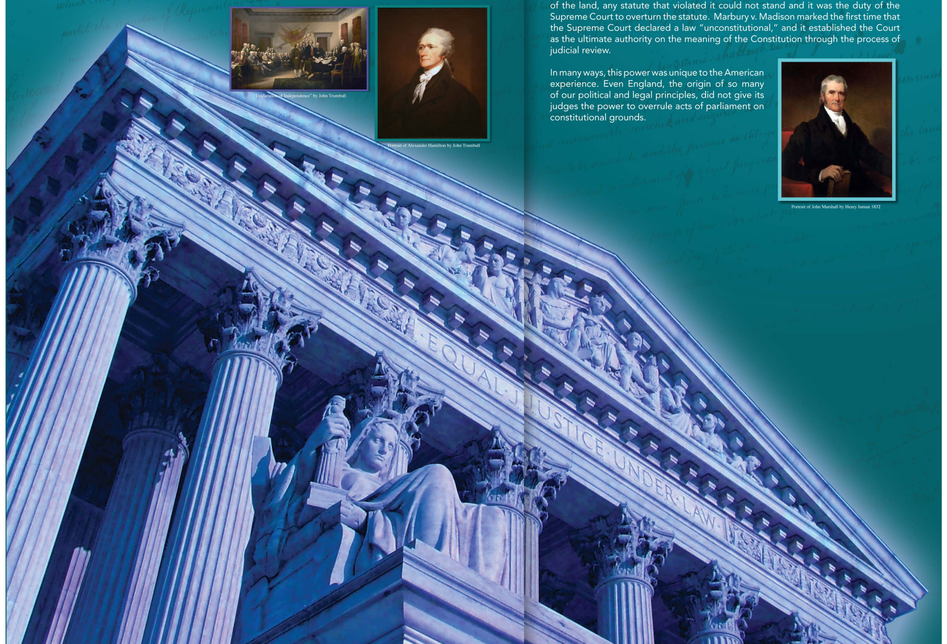

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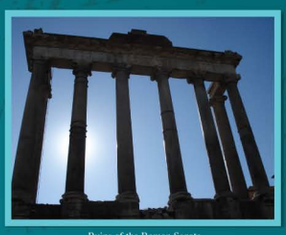

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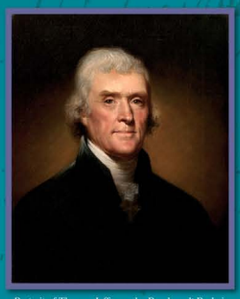

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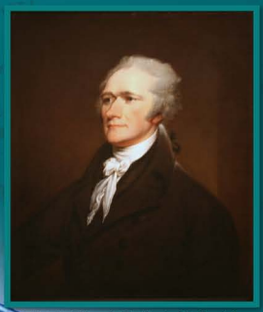

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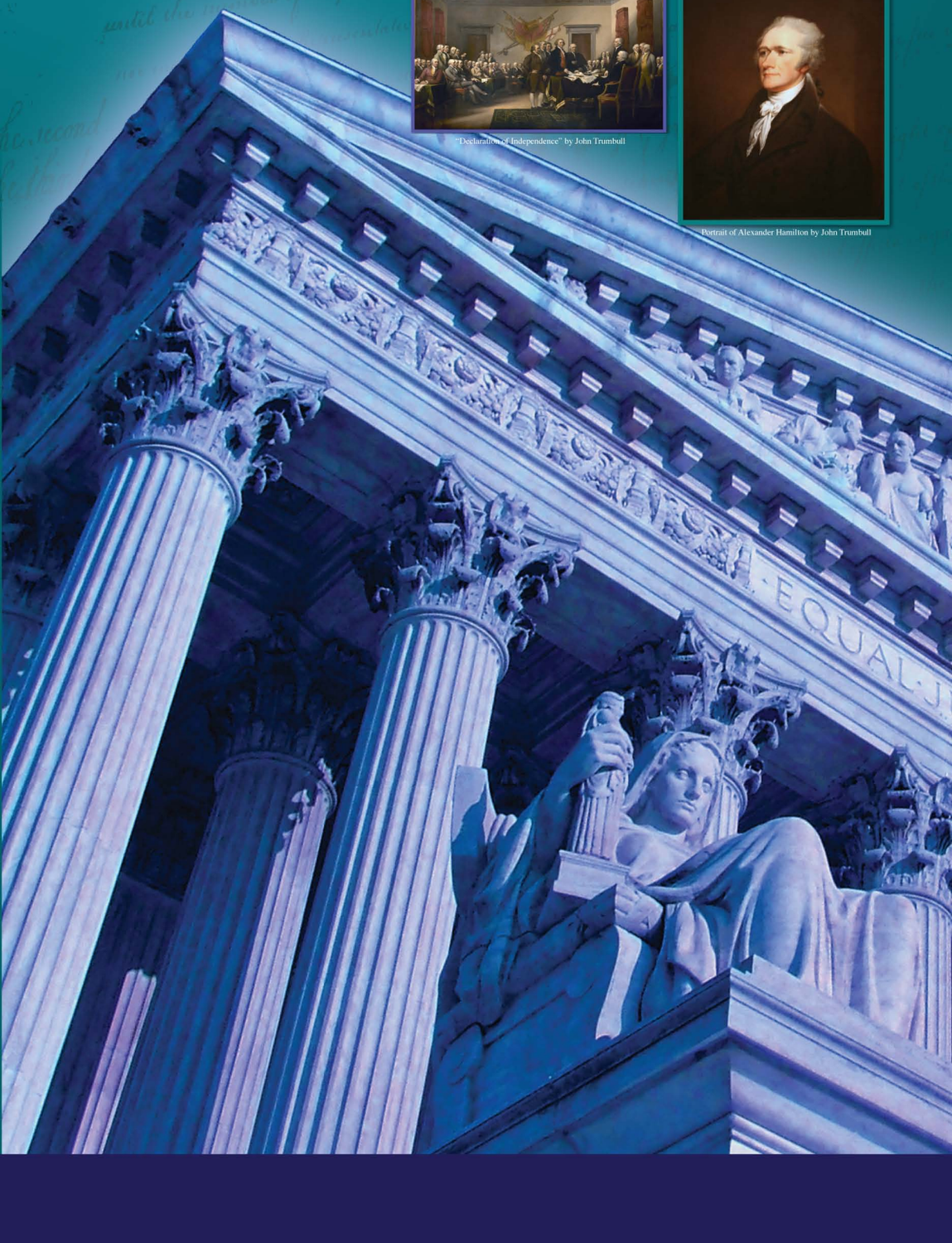

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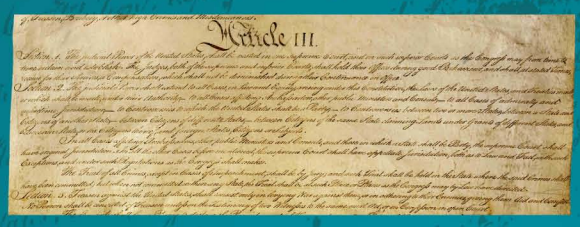
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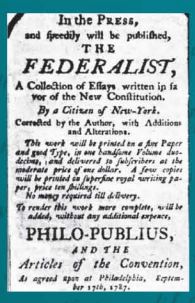
In the PRESS,
and speedily will be published,
THE
FEDERALIST,
A Collection of Essays written in fa vor of the New Constitution.
By a Citizen of New-York.
Corrected by the Author, with Additions and Alterations.
This work will be printed on a fine Paper and good Type, in one handsome Volume duodecimo, and delivered to subscribers at the moderate price of one dollar. A few copies will be printed on superfine royal writing paper, price ten shillings.
No money required till delivery.
To render this work more complete, will be added, without any additional expence,
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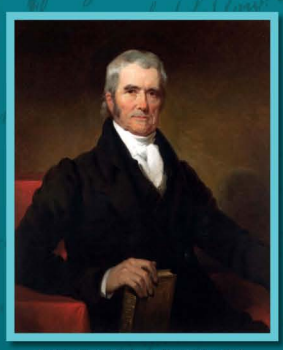
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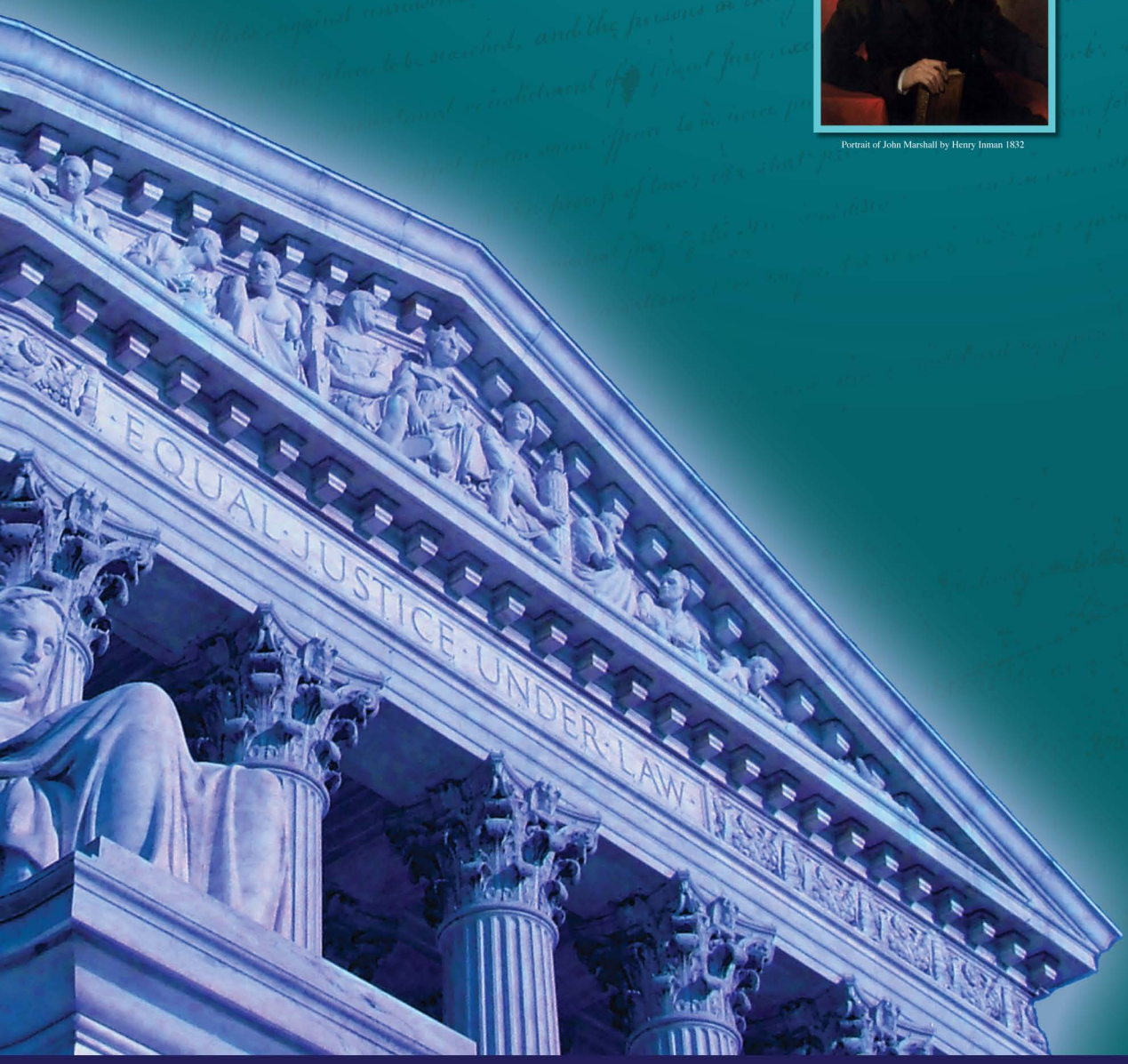

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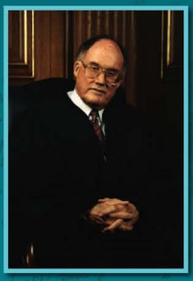

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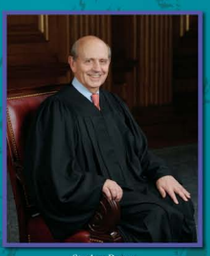

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