



Written by [Joe Wolverton, II, J.D.](#) on March 13, 2025

No Judge Rules the Executive: The Constitution Crushes the Myth of Judicial Supremacy

Another day, and another federal judge fancying himself king.

In a stunning display of judicial overreach, a federal judge in California has attempted to override the constitutional authority of the president of the United States. On Thursday, U.S. District Judge William Alsup — sitting in San Francisco — ordered six executive agencies to reinstate thousands of employees recently dismissed as part of President Donald Trump’s lawful efforts to restore accountability and efficiency within the federal workforce. The judge’s ruling purports to bind the Departments of Defense, Veterans Affairs, Agriculture, Energy, Interior, and the Treasury — as if a single unelected jurist can dictate the internal operations of the executive branch.



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Let’s make one thing absolutely clear: No single federal judge — nor even a panel of them — has the constitutional authority to override, countermand, or nullify a lawful order issued by the president of the United States directed at officers within the executive branch. That assertion is not up for debate; it is a matter of constitutional design, historical precedent, and the plain language of the founding charter.

The Constitution does not create three equal branches of government. It creates three distinct branches — each supreme within its own sphere. The executive branch is not a mere administrative errand boy of the federal judiciary. It is a coequal power — and in many ways, given its unitary and energetic structure, was designed to be the most vigorous defender of the people’s liberty against both legislative overreach and judicial arrogance.

But today, thanks to a lethal combination of legal ignorance, civic apathy, and judicial hubris, we’ve come to believe that any robed oligarch sitting on a federal bench can simply wave a gavel and paralyze the president. That is constitutional heresy.

Let’s set the record straight.

The Executive Power Is Vested in the President — Not Shared With Judges

Article II, Section 1 is crystal clear: “The executive Power shall be vested in a President of the United States of America.” That’s not a suggestion, or even a partial grant — that’s an exclusive vesting. All executive authority flows from that single office. Every officer in every executive agency — from the secretary of state to a clerk at the Department of Agriculture — serves at the pleasure of the president



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and operates under his constitutional authority.

No federal judge — not even the entire Supreme Court — can legally issue a binding directive to an executive officer contrary to the president's lawful order. That would violate the structural principle of separation of powers. If an executive officer disobeys the president in favor of a court's "injunction," he is insubordinate, not obedient.

The Judiciary Is Not a Supervisory Board Over the Executive

Nowhere in Article III is the federal judiciary given supervisory authority over the executive branch. The courts have one core function: to decide cases and controversies properly brought before them. They don't "rule" the government. They interpret law in the context of specific disputes between parties. That's it. That's all.

Judicial orders have no power unless they are backed by execution. But who executes federal orders? The executive branch. If a court order contradicts an executive order within the president's lawful domain, who prevails? Constitutionally, the answer is obvious: the executive — because the judge has neither the sword nor the authority to wield it. Alexander Hamilton himself made that distinction clear in *The Federalist*, No. 78, stating that the judiciary "has no influence over either the sword or the purse."

Historical Practice Proves the Point

Consider how George Washington governed. Would the federal courts have dared issue an injunction against his orders? Would Thomas Jefferson have allowed a single judge to block his executive decisions? In fact, when Chief Justice John Marshall tried to expand judicial supremacy in *Marbury v. Madison*, Jefferson flatly rejected the notion that the courts could bind the executive in all matters. [He wrote](#): "To consider the judges as the ultimate arbiters of all constitutional questions [is] a very dangerous doctrine indeed. [It] would place us under the despotism of an oligarchy."

Abraham Lincoln, though not yet president when the Supreme Court issued its infamous *Dred Scott v. Sandford* decision in 1857, immediately recognized the constitutional danger it posed. He refused to accept the idea that a court ruling — no matter how sweeping — could fix the policy of an entire nation. As he later declared, "If the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court ... the people will have ceased to be their own rulers."

Exactly.

The Constitution's Defense Is the Executive's Duty

One of the most grotesque modern lies is the idea that if a judge says "stop," the entire executive branch must sit down and obey. Nonsense. The president takes an oath to "preserve, protect, and defend the Constitution of the United States," not to serve as the court's errand boy.

That means if a court issues an unconstitutional order — or presumes to seize executive authority — the president not only may refuse to comply, he is bound by oath to do so. Defending the separation of powers isn't optional. It is the chief executive's constitutional obligation.



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Judicial Tyranny Must Be Rejected

Let's be blunt: What we're witnessing today isn't the rule of law — it's rule by lawless judges. A rogue judge issues a nationwide injunction against a lawful presidential directive, and the media and bureaucrats fall in line as though a new commandment has descended from Mount Sinai. It hasn't. It's legal fiction — and dangerous fiction at that.

No judge can lawfully tell the president how to direct his subordinates; no judge can lawfully command the executive branch; and no judge can lawfully override a presidential order unless that order violates a constitutional prohibition — and even then, only within the scope of a specific case involving actual litigants.

We've allowed the judiciary to transgress its constitutional bounds, and now we're reaping the consequences: lawless courts acting like kings, and spineless executives surrendering their rightful authority. That must end.

Conclusion: Obey the Constitution, Not the Robes

A single federal judge cannot override a presidential order directed to the executive branch. Not constitutionally, not historically, and not logically. The president is not subordinate to the judiciary — and no serious student of American government should pretend otherwise. Judicial supremacy is a myth — a dangerous, corrosive, unconstitutional myth. And it's time we called it what it is: tyranny by black robe.

If liberty is to survive, we must reassert the original design. The president must govern the executive branch. The courts must stick to their cases. And the people must remember that their freedom doesn't rest on judicial permission slips — it rests on constitutional fidelity.



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