



I'm not robot



Continue

Brutus no 1

In order to develop a comprehensive understanding of the American establishment, it is also important to understand anti-fundamentalist objections to the ratification of the Constitution. Among the most important anti-federalist writings are Brutus essays. Although this has not been definitively established, these essays are generally attributed to Robert Yates. Brutus essays provide the most direct and compelling rebuttal to the federalist argument. This lesson provides a summary of the arguments in Brutus's first essay written to the citizens of New York State. Task Read Brutus No. 1 Excerpts annotated and answer questions at the end of the lesson. In his first essay, Brutus considered whether 13 states should be reduced to one republic, as the federalists had proposed. After examining the various provisions in the Constitution, he decided that it would essentially create a federal government that had absolute and uncontrollable power... Brutus pointed to the necessary and proper clause (3.8.18) and the supremacy clause (6.2.0) as sources of enormous power granted to the federal government by the Constitution. According to Brutus, these two clauses essentially render various state governments powerless. He believed that the constitution and the laws of each state would be repealed and declared invalid if they were or would be contrary to the Constitution. Brutus argued that under the necessary and proper clause, Congress would be able to repeal state fundraising laws. If Congress believed that state law could prevent the collection of a federal tax that is necessary and appropriate to safeguard the common good of the United States, then Congress would have the power to repeal the law under the necessary and proper clause. Moreover, since all laws under the Constitution are the highest law of the land, states would have no option. That's why the government is complete, and there's no longer a confederation of smaller republics. According to Brutus, there was no limit to the legislative power to set taxes, duties, fraud and excise duties. Although this power was technically limited to raising money to pay debts and ensure general well-being and common defense, Brutus argued that these restrictions did not impose any real restrictions on legislative powers under the Constitution. In fact, only the legislature had the authority to conclude the contract debts and determine what is necessary to ensure the common good and common defense of the nation. Therefore, the legislature's power to impose taxes and duties is unlimited. No state can release paper money, impose tariffs or imposts on imports or exports without congressional approval, and net production is in favor of the United States. Therefore, the only member states to support their own governments and forgive their debts is direct taxation. But even that could be eradicated by the federal government, which also has direct taxation powers. Where the federal government exercises this essentially unlimited power, it would be impossible for states to raise money for their own account because of their citizens' limited monetary resources. Without money, states cannot be supported, and their powers would be swallowed up by the federal government, eliminating any sovereignty or autonomy that states would have left. Today, opinions differ in the appropriate size, scope, and power of the federal government. Regardless of personal views, it is hard to deny that Brutus makes several compelling arguments highlighting the potential dangers of a great national government. Which form of government (a large national republic or confederation of small republics) is more likely to preserve and protect personal freedoms, and why? Can a larger republic, based on the principle of ruling consent, adequately protect the rights and freedoms of individual states and people, or is the Confederation the only way to ensure such freedom? Should the federal legislature be able to repeal state laws to introduce federal laws to promote the nation's general well-being or common defense? If so, why? If not, why? Brutus argues that in the Republic, the ways, feelings and interests of people should be similar ... if not, there will be a constant clash of views, and representatives of one part will constantly seek against the other. Should the Republic be made up of a small group of like-minded people? Or is diversity of opinion beneficial to the success of the federal government? Sea of Freedom | Document ©2020 Monticello Digital Classroom Brutus was a pseudonym antifederalist in a series of essays designed to encourage New Yorkers to reject the proposed constitution. His series are considered some of the best of those written against the adoption of the proposed constitution. [1] They paralleled and confronted the Federalist Papers during the ratification fight for the Constitution. Brutus published 16 essays in the New-York Journal, and the Weekly Register from October 1787, to April 1788, starting shortly before the federalist began appearing in the New York times. The essays were widely reprinted and commented on throughout the U.S. states. All 16 essays were addressed to the Citizens of New York State. Brutus's true identity is unknown, but a modern scholarship suggests that Melancton Smith of Poughkeepsie[2] and John Williams of Salem. [3] A computational analysis of Smith's well-known writings suggests that either he or his collaborator was the author of Brutus's documents, even though there are strong similarities between Williams and Brutus's parts. The pseudonym is in honor of either Lucius Junius Brutus, who led the overthrow of Rome's last king Tarquinia Superbus, or Marcus Junius Brutus, who was one of Julius Caesar's assassins. Arguing against the Constitution of the People's Freedom Just like other anti-federalist writers, he argued that the Bill of Rights is necessary to protect people from government. He urged the people of New York not to ratify the Constitution and therefore to relinquish power to the government, because when people once parted with power, they can rarely or never restore it again, but by force. [4] In his view, Americans believe that all people by nature are free, and the new constitution requires them to give up too many rights that work against the very end of government. [5] In order to mitigate this issue, a bill of rights dealing with criminal rights, free elections and freedom of the press must be included. The legislative branch of Powers Brutus writes that Congress has too much power, especially over states. He prefers a real confederation that would be: a number of independent states entering into, for leading certain general concerns in which they have a common interest, so that the management of their internal and local affairs go and their separate governments. [6] He believes the power to hold a permanent army in peacetime as evil and very dangerous to public freedom. [7] Congress's unlimited power to collect revenue and borrow money on a United States loan, as well as a necessary and proper clause, is very dangerous for states, and Brutus believes that they will eventually be dissolved if the Constitution is adopted. Brutus argues that a free republic cannot exist in such a large territory as the United States. It uses examples of Greek and Roman republics that have become tyrannical as their territory has grown. [4] He says that a true free republic comes from the people, not from the representatives of the people. With the population and geographic size of the United States, he warns that citizens will have very little familiarity with those who may be chosen to represent them; a large part of them probably will not know the figures of their own members, let alone the majority of those who will compose the federal assembly; they will consist of men whose names they have never heard and whose talent and respect for the public good are complete strangers. [8] He also sees danger in giving Congress the power to change the choice of its own members. Brutus also questions the validity of the three-fifths compromise and asks: If [slaves] have no stake in the government. Why is the number of members in the assembly to be increased on their behalf? [9] He sees this as one example of branch corruption. The fact that each regardless of size, having the same number of senators is the only feature of any importance in the Constitution of the Confederation of Government and is one of the few aspects of the legislature that Brutus approves of (16). He disagrees with the method of choosing senators, as well as the six-year term they are given because he believes that spending that much time away from his constituents will make him less in touch with their interests (16). He advocates a rotation in government to prevent the problem of men serving in the Senate for life. He also objects to Congress participating in appointments of officers and indictments because it gives them both executive and judicial powers and he considers such branch wiping as dangerous (16). The Brutus judicial branch argues that the jurisdiction given to the judiciary will be: Expand the legislative power to increase the power of the Courts to shrink and destroy both the legislative and judicial powers of the states. [10] They believe that their ability to declare what powers of the legislature will lead to the expansion of legislative power, especially since the Supreme Court can interpret the Constitution according to its spirit and reason and will not be bound solely by its words. [10] As in Britain, this will allow them to form a government in almost any form they like. [11] Their ability to consider the validity of state legislation also outweighs state law and ultimately makes it so meaningless and unimportant that it is not worth having. [10] It also considers that there should be more checks at the branch and that judges should not be dismissed solely on the basis of criminal activity. He writes: No way to control them, but with a high hand and an outstretched hand. [12] Remarks ^ Ann Stuart Diamond, Anti-Federalist Brutus, Political Scientist 6 (Fall 1976). p. 249 ^ Zuckert and Webb. Anti-federalist writings Melancton Smith Circle s. xxviii-xxix (2009). ^ Johnson, Joel. 'Brutus' and 'Cato' Unmasked: The Role of General John Williams in the Debate on Ratification in New York, (American Antiquarian Society, 2009). ^ a b Anti-federalist newspaper: Brutus #1. Constitution.org. Obtained 2010-03-22. † Anti-federalist documents: Brutus #2. Constitution.org. Obtained 2010-03-22. † Anti-federalist documents: Brutus #5. Constitution.org. Obtained 2010-03-22. † Anti-federalist documents: Brutus #8. Constitution.org. Obtained 2010-03-22. † Anti-federalist documents: Brutus #4. Constitution.org. Obtained 2010-03-22. † Anti-federalist documents: Brutus #3. Constitution.org. Obtained 2010-03-22. † a b c Anti-federalist documents: Brutus #12. Constitution.org. Obtained 2010-03-22. † Anti-federalist documents: Brutus #11. Constitution.org. Obtained 2010-03-22. † Anti-federalist documents: Brutus #15. Constitution.org. Won 2010-03-22. External Links Writings Brutus Scan Files Brutus.html Loaded