



Brutus 1

By: James McKinney, Zack Mathes, Eduardo Colunga, Justin Husted



Overview

- Brutus was afraid that uniting all 13 states in America under one document, with one judicial, executive and legislative branch would be a mistake. One governing document in the past was not strong enough to bond the nation during struggles, and to stand up against some problems the nation has encountered. Along with not being strong enough, he expects the articles to fade away, and does not have hope that the documents will last to govern our future generations. Brutus wants a governing document that will be upheld for the rest of America's history, or as long as it is plausible to have governing powers, not like they have had in the past with major documents only lasting a few years. He fears that if one entity controls all that they would become too powerful and not have self restrictions in order to provide peace protection and happiness to the general public. If one government is so strong, the people will never regain control from them, similar to the start of the American Revolution. The government is making laws directly giving powers that should belong to the states to the central government, only leaving the states being able to control minor laws. Brutus fears that those in power because they have no restrictions set in place will try and become more and more powerful due to human nature, and eventually the people will have no say, making America a dictatorship.



Overview CONT

- Going hand in hand with power, the articles have no limits on taxation of the public, leaving it up to the governing power at the time what common defense and general welfare taxation means. By leaving this without definition it does not guarantee economic happiness for the people of the future. Brutus's view on the militia was very anti-federalists because he did not feel as if we should have an army during peacetimes, only should we bring up and rise a militia during times at war. He feels as if the army if assembled during peacetime will interrupt liberty and be an extreme danger to it. He does not think that in order to enforce laws and have protection that we need an army, and we will be able to solve most problems without one. One problem Brutus expects from a much older and bigger America is that the representatives from each state will not be able to correctly represent what is truly on the minds of the individuals in their region, and fears that there will be widespread corruption within the government.

Concerns regarding Articles of Confederation

Brutus did not feel that the Articles would be strong enough over a long enough period of time to let America prosper. In the past, their governing documents were not strong enough to solve problems they encountered, and wanted a document that could be adjusted and truly hold a nation together forever. Another fear of Brutus's was that the documents would be quickly dissolved, and that the future generations would look down on them as having failed.



Brutus' Best Form of Government

Brutus wants each state to have its own government instead of a big national government that controls everything. He believes this form of government is best because many generations of people will be able to enjoy all the blessings of liberty, the nation will grow and prosper, and people will advance in knowledge and virtue. He wants a confederation. Brutus believes this government would be better because if the government is consolidated, despotism, or even an aristocracy it would lead to a loss of liberty which will fail and future generations will blame and despise them.



Concern with dispersion of power

Brutus' main concern with giving the power to the government was that if a strong central government is created the people are very unlikely to get the power back. Loss of the power of the states and the people would lead to a loss in liberty and freedom for the people. Brutus warns that the people should be wary of who to trust their power with.



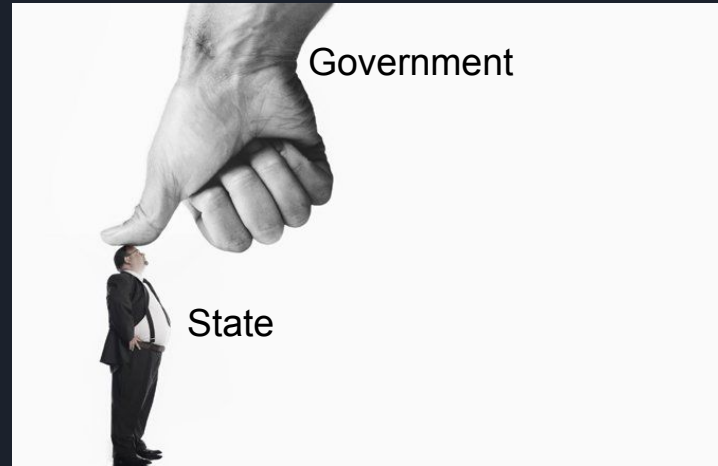


Primary concern with the Constitution

Brutus believes that the Constitution leans too much towards an entire consolidation, that it might just end up in a consolidation. He thinks it will give one government absolute and uncontrollable power, legislative, executive and judicial. He says the Constitution practically says there is no need for state governments and that the constitution and laws of every e=state are nullified and declared void, specifically in Article 1 Section 8 and Article 6.

Concern with the necessary and proper clause

The supreme law of the land and necessary and proper clause make it so that the the government could have unlimited control of the people. This would invalidate the states laws and all the other laws that congress would deem irrelevant. All of the important powers are left to a central government while the states are left with all the minor powers. Brutus fears that this could lead to all of the states powers being removed and the government taking over



Concerns of legislature's power to tax

There is no real limitation to this power, while it does say that taxes can only be used on general welfare, legislature itself lays out what general welfare means. This means that absolute power is being granted to legislature. Taxation is the most important power a government can be given because it is related to all other powers that governments can have. The federal government can spend this money however they please, leading to loss of liberty for states who cannot raise funds.



Concern over the judicial branch

The power is left with one court that has the power to make the smaller courts. They have power in all civil cases except between two people in the same state. This means the federal courts will destroy the state courts. The courts will be independent of the states with the power to raise their own salaries and they have absolute power.





Concerns regarding a large republic

Brutus believes that a free republic couldn't succeed over a large country like the US. He uses examples like The Grecian republics and the Romans, which according to him lost their free government when they started their world conquests and began to get big and instead switched to some of the most tyrannical governments that have ever existed. He believes this could happen to the US because of its immensity and large population that are both increasing rapidly.



Concerns of abuse of power

Brutus believes that human nature is that those who have power will try to increase it, which means the central government will keep growing until all state authority is eliminated.

Representatives would soon be beyond the control of the people, letting representatives abuse their power. The powerful central government will attract the corrupt to try and use their power for their own gains