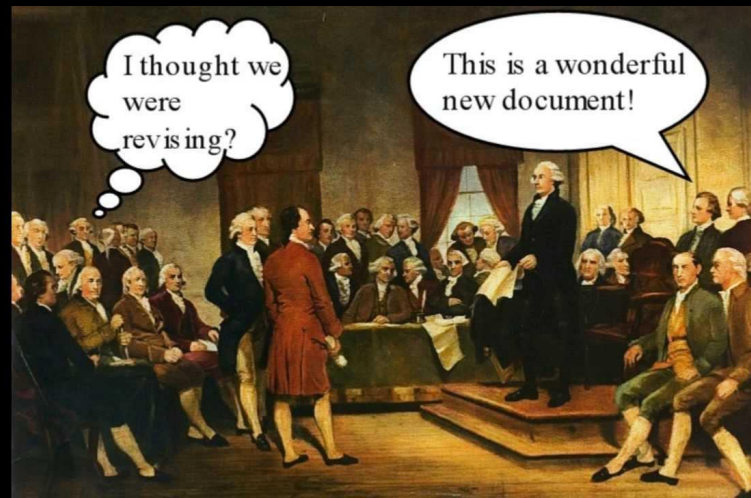


# BRUTUS NO. 1

18 October 1787 – By Zoe, Natalie, Anna, and Claire

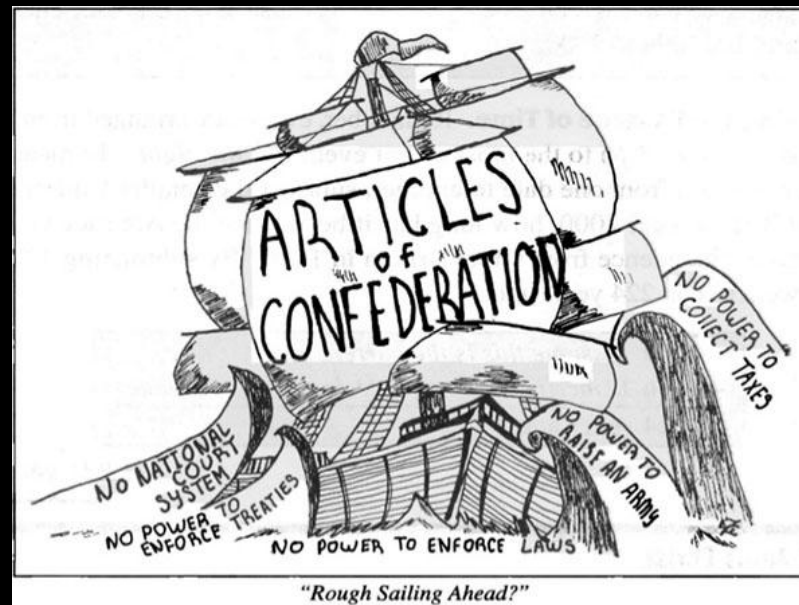
# SUMMARY

- Brutus No 1 is an anti-federalist paper that discusses the fundamental issues with the immense powers of the Federal government. Similar to other anti-federalist sentiment, Brutus also expresses the need for a Bill of Rights to protect civil liberties.
- Could a widely dispersed and diverse people be united under one government without sacrificing the blessing of liberty and self-government?



# WHAT WAS BRUTUS'S CONCERN WITH THE ARTICLES OF CONFEDERATION?

- The Articles of Confederation weren't strong enough to manage some of the problems that nation was experiencing
- The Articles of Confederation didn't give the national government the power to impose taxes



# WHICH FORM OF GOVERNMENT DID BRUTUS BELIEVE WAS THE BEST AND WHY?

- Brutus believed that a confederation is the best
- Independent states come together for concerns and the government can intervene if absolutely necessary
- This leaves the management of their internal and local affairs to their state governments





# WHAT WAS HIS CONCERN ABOUT THE DISPERSING OF POWER?

- Concerned that once a large central government is created it is nearly impossible for individuals to regain power
- A single government would become too powerful
- This could potentially lead to a tyrannical reign



# WHAT IS HIS PRIMARY CONCERN WITH THE NEW CONSTITUTION?

- New Constitution places too much power in the central government
- This would mean that state governments couldn't function as a republic under the control of their citizens



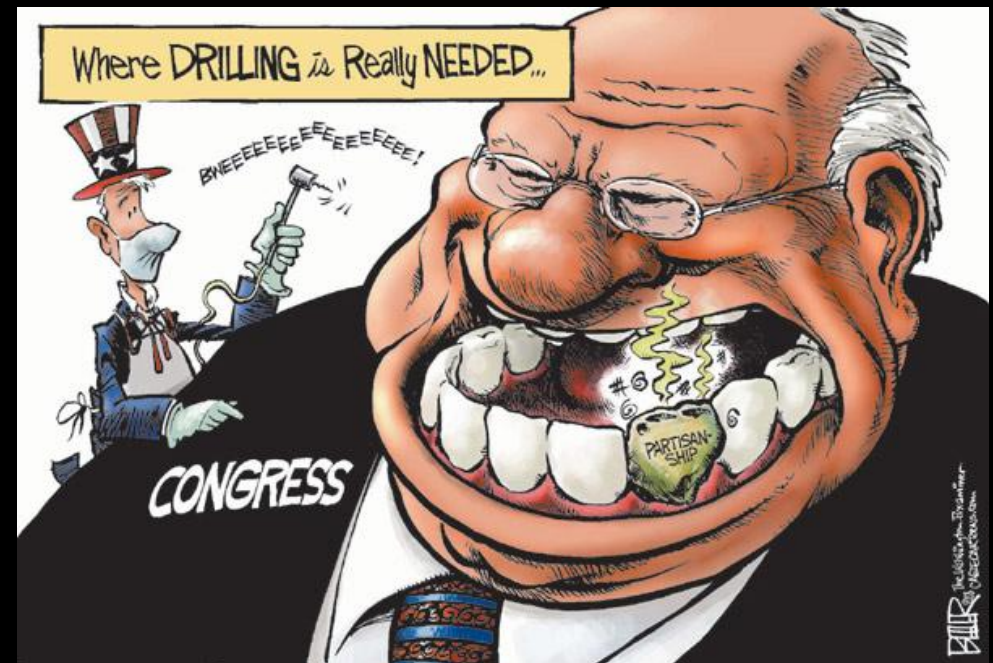
# WHAT WAS HIS CONCERN WITH THE “NECESSARY AND PROPER” CLAUSE?

- Made the central government an uncontrollable power over the topics that the Constitution covers
- This clause invalidates any limits – this could result in destroying the state government



# WHAT WAS HIS CONCERN WITH THE LEGISLATURE'S POWER TO TAX?

- There is no well-defined limit to the national legislature's power to tax because there is no exact definition for "common defense and general welfare"
- This could lead to over taxation of the states





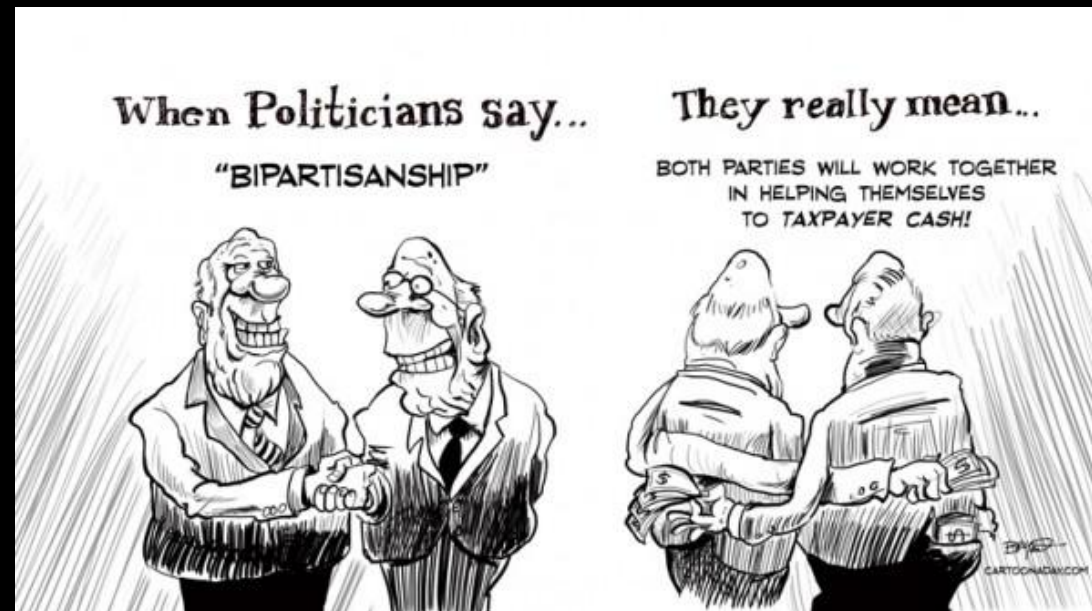
# WHAT WAS HIS CONCERN WITH THE JUDICIAL BRANCH?

- Fear of Judicial Review
- The supreme court could overturn state laws and state court decisions
- Constitution's broad definition of Federal jurisdiction would allow judges and lawyers to exploit their powers
- The Constitution's failure to explicitly protect traditional rights to a trial by jury
- This ultimately led to Amendment 6



# WHAT WAS HIS CONCERN REGARDING POLITICIANS?

- Politicians will be abusive with their powers because they weren't explicitly limited
- In such a large country it will be difficult for politicians to effectively voice the concerns of their constituents



# WHAT WAS HIS CONCERN REGARDING A LARGE REPUBLIC?

- The United States are too large to be efficiently governed by a single central power – no historical evidence of such a large republic succeeding
- He uses the examples of the Greek and Roman republics that became tyrannical as their territory grew
- With a single central power the constant clashing of opinions will prevent political action



# WHAT WAS HIS CONCERNS REGARDING ABUSE OF POWER?

- National government is too centralized in large republics
- Checks on Federal power could be undermined by broad interpretations of promoting the “general welfare” ( which would be claimed for every law) and the “all laws necessary and proper” clause (which would be used to override limits on delegated Federal powers)

