

# The federalists vs. the republicans

Sociology



The Constitution of 1787, drafted to replace the original Articles of Confederation, was instrumental in the formation of the Federalist government. Taxes had long been seen as intrusive and oppressive. In the Constitution, Article 8 states, " The Congress shall have Power To lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence (sic) and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States" (" Transcript of Constitution of the United States (1787)"). Thomas Paine had written in his landmark book *The Rights of Man* that, " To say that any people are not fit for freedom, is to make poverty their choice, and to say they had rather be loaded with taxes than not". (qt in Smith). Paine was noting that taxation was a redistribution of power from the common man to the national government. This Federalist position would assure the strength of the central government over the power of the individual states.

To further control the states and the people, The Alien and Sedition Act of 1798 impeded the ability to congregate or organize any movement against the power of the Federalist government. While the grassroots revolution against an oppressive power had been the foundation of the United States, the Act was meant to eliminate the possibility of a movement being used against itself. The Act made it illegal to " procure to be written, printed, uttered or published, or shall knowingly and willingly assist or aid in writing, printing, uttering or publishing any false, scandalous and malicious writing or writings against the government of the United States, or either house of the Congress of the United States, or the President of the United States, with intent to defame the said government" (The Alien and Sedition Acts, 1798). This act simply eliminated any meaningful vehicle for protest and subdued

<https://assignbuster.com/the-federalists-vs-the-republicans/>

the power of the people to speak out against the tyranny of the Federalists. The power of the Federal government gave further credence by the Landmark decision of Marbury vs. Madison. This decision set the centuries-old precedent that the United States Supreme Court held the ultimate seat of power. The majority decision said in part, " this court will be authorized (sic) to decide upon the meaning of the constitution; and that, not only according to the natural and obvious meaning of the words but also according to the spirit and intention of it. In the exercise of this power they will not be subordinate to, but above the legislature" (Marbury v. Madison (1803)). This solidified the power to implement national law and provided a mechanism for enforcement.

In conclusion, power has drifted between the executive branch and the people in cycles throughout history. The power to tax was an original assault on states' liberty as explained by Thomas Paine. The Alien and Sedition Act silenced any meaningful opposition to an over-zealous national tyranny. To assure compliance with these rigid federalist policies, the decision made in Marbury vs. Madison upheld the Supreme Court's ultimate power to interpret and decide.