

Joseph Stanton Jr.

The 8th U.S. Congress

SSUNS 2016

The United States Congress was created in 1787 to be the legislative branch of the newly formed nation. It was divided into two chambers, the Senate and the House of Representatives. It was likewise decided that each state would elect two members to the Senate, and that the number of members each state would elect to the House of Representatives would be based on the state's population, with the more populous states having more members (and therefore more power) (Brinkley 166). Congress is the most powerful of the three branches of government, since the legislative branch holds the main power for creating and passing laws. As the most powerful part of the government, the duty to maintain the current state of our nation, as well as insure its future prosperity largely falls to the representatives within Congress.

One current problem that Congress is called upon to discuss is that of the current conflict between the United States and the Barbary states of Northern Africa. The United States has maintained treaties and paid tributes to the Barbary states since the 1780s, and Congress has continued to favor peaceful negotiations with them in the past decade, despite several instances in which the Barbary states have shown their willingness to forgo diplomacy in favor of pirating (Brinkley 195). Over the last two years, U.S. relations with the Barbary states have drastically declined. In particular, the U.S. and the state of Tripoli have been engaged in a small-scale war since May 1801, a war which was started by the Pasha of Tripoli, and which is currently endorsed by President Jefferson (Brinkley 195). This small war has been maintained with federal funds, money that the newly formed United States needs to keep in order to improve its economic standing as a nation. However, diplomatic relations with the Barbary states have also historically resulted in U.S. funds being wasted— used to pay continued tribute to the states in order to ensure safe passage of U.S. ships through the Mediterranean (Butz-Weidner 8-9).

Joseph Stanton Jr. recognizes the large scope of the problem with the Barbary states, and would like to propose a plan of continued military action. If the United States continues to dedicate resources to fighting with Tripoli (and possibly the other Barbary states, excepting Morocco, which the United States has already concluded negotiations with), the military presence of the United States will soon allow the country to bargain with the pirates on equal terms. Once equal negotiations begin, the United States will be able to end the money-draining practice of paying tribute to the Barbary states. This solution will economically benefit the United States in the long-term by providing the country with unrestricted access to the Mediterranean; it will also show other countries that the U.S. will not give in to unfair demands placed on it, thereby increasing the nation's political power.

A different problem that is focused entirely within the U.S., but one that is equally important as the issue of the Barbary states, is that of the judicial system's role within the country. The Judiciary Act of 1789 set up much of the structure of the present judicial system by establishing circuit courts and specifying the number of Supreme Court Justices (Butz-Weidner 18-19). The most recent Judiciary Act, that of 1801, greatly expanded the role of federal courts as a part of the judiciary system at the expense of state and local courts' powers, but abolished the necessity of Supreme Court justices to help with circuit court cases (Butz-Weidner 20). In 1803, in the case of *Marbury v. Madison*, the Supreme Court cemented its ability to use judicial review to declare laws unconstitutional (a right which was given to it in the Judiciary Act of 1789) (Brinkley 195).

The current session of Congress has been called upon to decide whether these recent judicial practices should be continued, and if not, what the judiciary branch's powers should be instead. As a strong supporter of states' rights and a decentralized federal government, Joseph Stanton Jr. would like to propose that Congress abolish the Judiciary Act of 1801 and create new legislation in its place (a Judiciary Act of 1803). This new act would largely resemble the Judiciary Act of 1789, with the exceptions that state Supreme Court Justices would refrain from aiding circuit court cases. This act

would return much of the power to the state courts that they lost in 1801 and would maintain the federal court's ability to spend more time on Supreme Court cases. Judicial review should also be allowed to continue, as it will make sure that Congress and the President do not overstep their boundaries as federal branches of government.

Finally, Congress has been asked to consider the purchase of Louisiana from the French. Since the purchase of Louisiana would increase the natural raw materials in the U.S., expand the U.S. fur trade, and expand U.S. production and exportation of agriculture, and allow unrestricted use of the Mississippi River, obtaining the Louisiana from the French would greatly benefit the economic of the United States (Butz-Weidner 26-27). In addition, since the Spanish have recently revoked the right of American merchants to use the port of New Orleans to store their goods during their transfer to other states and countries (Brinkley 198), purchasing Louisiana is a peaceful way for Americans to regain access to the port.

Joseph Stanton Jr. believes that the purchase of Louisiana should be made for \$8 million, since most of the territory is unoccupied and has little value for France (other than trading value). Recognizing this, Congress should grant France the ability to continue its trade in the region once it has been bought. On the subject of slavery, Joseph Stanton Jr. believes that slavery should be abolished in all areas of the Louisiana Territory except the area south of the point where the Mississippi River and the Arkansas River meet (excluding New Orleans). In that specific area, slavery of African Americans by any French or American settler should be permitted to protect slaveholding settlers who are already there from having to free their slaves. Native Americans shall not be enslaved anywhere in the Louisiana Territory, since Native American slaves may revolt or cause Mexicans living in the territory to revolt on their behalf.

In conclusion, recent events both in the United States and abroad have become pressing issues that Congress must take action on as swiftly as possible. As the fate of the United States will be partially determined based on these issues, it is important for the eighth session of Congress to consider these issues and their implications as

thoroughly as possible in order to cement the United States' future as a prosperous democratic nation.

Works Cited

Brinkley, Alan. *American History: Connecting with the Past, 15E AP Edition Updated*. McGraw-Hill Education, 2017.

(Brinkley)

Butz-Weidner, Benjamin, Angad Singh, Noah Powers, and Alexander Nehrbass. The 8th United States Congress. Montréal, Quebec: n.p., Nov. 2016. PDF.

(Butz-Weidner)