

DBQ QUESTION

Although Alexander Hamilton and Thomas Jefferson were two great leaders in United States history, they both had very different views of government and of the economy. Using the information in the documents and your general knowledge of the two men, analyze the debates between them, their respective positions, that each represented regarding key issues.

Document A

...I consider the foundation of the Constitution as laid on this ground: that all powers not delegated to the United States, by the Constitution, nor prohibited by it the states, or the people (XII amend). To take a simple step beyond the boundaries thus specially drawn around the powers of the Congress, is to take possession of a boundless field of power, no longer susceptible of any definition.

The incorporation of a bank, and the powers assumed by this bill, have not, in my opinion, been delegated to the United States by the Constitution.

Thomas Jefferson
Jefferson's Opinion on the Constitutionality of the Bank
Feb. 15, 1791

Document B

If it would be necessary to bring proof to a proposition so clear, as that which affirms that the powers of the federal government, as to its objects, were sovereign, there is a clause of the Constitution which would be decisive. It is that which declares that the Constitution, and the laws of the United States made in pursuance of it, and all treaties made...under their authority shall be the supreme law of the land. The power which can create a supreme law of the land, in any case, it doubtless sovereign as such case.

...To return: It is conceded that implied powers are to be considered as delegated equally with express ones.

...Under a conviction that such a relation subsists, the Secretary of the Treasury, with all deference, conceives, that it will result as a necessary consequence from the position, that all specified powers... of government are sovereign from the position

Alexander Hamilton
Hamilton's Opinion on the Constitutionality of the Bank
Feb 23, 1791

Document C

During the contest of opinion through which we have passed the animation of discussions and in strangers unused to think freely and to speak and to write what they think; but this being now decided by the voice of the nation, announced according to the rules of the Constitution, all will, of course, arrange themselves under the will of the law, and unite in common efforts for the common good.

Thomas Jefferson,
Jefferson's First Inaugural Address, 1801

Document D

Our object has been all along to reform our federal system and to strengthen our governments--to establish peace, order, and justice in the community-but a new object now presents.

...The fact is, these support and hasten the adoption of the purposed Constitution merely because they think it is a stepping stone to their favorite object. I think I am well founded in this idea; I think the general politics of these men support it, as well as the common observation among them that the preferred plan is the best that can be got at present...

Richard Henry Lee,
Anti-Federalists Responses; Arguments Against the Adoption of the Constitution

Document E

...There are again two methods of removing the causes of the faction: the one by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same options, the same passions, and the same interests...

The Federalist Papers: No. 10, 1818

Document F

Be it enacted...That if any persons shall unlawfully combine or conspire together, with intent to oppose any measure of the government of the a United States... or to impede the operation of any law of the United States, or to intimidate or prevent any person holding a place or office in or under the government of the United States, from undertaking, performing or executing his trust or duty;...unlawful assembly, or combination,...

He or they shall be deemed guilty of a high misdemeanor.

That if any person shall write, print, utter, or publish, or shall cause or procure to be written, printed, false scandalous writing against the government of the United States... then such person, being therefore convicted...shall be punished by a fine,, and imprisonment.

The Sedition Act of July 14,1798

Document G

To what expedient, then, shall we finally resort, from maintaining in practice the necessary partition of power among the several departments, as laid down in the constitution? The only answer that can be given is, that as all these exterior supplied, by so contriving the interior structure of the government as that its several constituent parts may, by their mutual relations, be the means of keeping each other in their proper places.

Alexander Hamilton,
The Federalist Papers: No. 51, 1788

Document H

...United States of America are not united on the principle of unlimited submission to their general government; but that by compact under the style and title of a Constitution for the United States and of amendments thereto... and whensoever the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force... That the government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself...

...And that no power over the freedom of religion, freedom of speech or freedom of the press being delegated to the United States by the Constitution, nor prohibited by it to the States, all lawful powers respecting the same did of right remain, and were reserved to the States, or to the people: That thus was manifested their determination to retain to themselves the right of judging how far the licentiousness of speech and of the press may be abridged without lessening their useful freedom....

Kentucky Resolutions
November 16, 1798

Document I

..."The judicial power shall extend to all cases arising under the laws of the United States,"-vests in the Federal Courts, exclusively, and in the Supreme Court of the United States, ultimately, the authority of deciding on the constitutionality of any act or law of the Congress of the United States.

Resolved, that for any legislature to assume that authority would be-

1st Blending together legislative and judicial powers.

2nd Hazarding an interruption of the peace of the states by civil discord, in case of a diversity of opinions among the state legislature.

3rd Submitting most important questions of law to less competent tribunals; and

4th An infraction of the Constitution of the United States, expressed in plain terms.

Rhode Island Responses to the Kentucky and Virginia Resolution