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**Federalist vs. Anti-Federalist/Jefferson vs. Hamilton**

**Colonial American History Debates**

**DOCUMENT EXCERPTS**

**The National Bank Debate: Should the new U.S. national government**

**establish a national bank?**

 “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, 1791

 “The second general phrase is, ‘to make all laws necessary and proper for carrying into execution the

enumerated powers.’ But they can all be carried into execution without a bank. A bank therefore is not necessary, and consequently not authorized, by this phrase.”

 -- Thomas Jefferson, 1791

 “Dependence begets subservience and venality, suffocates the germ of virtue, and prepares fit tools

for the design of ambition.’

 -- Thomas Jefferson, 1790

 Jefferson: Ooh, if the shoe fits, wear it

If New York’s in debt—

Why should Virginia bear it? Uh! Our debts are paid, I’m afraid

Don’t tax the South cuz we got it made in the shade

In Virginia, we plant seeds in the ground

We create. You just wanna move our money around.

This financial plan is an outrageous demand

And it’s too many damn pages for any man to understand.

Stand with me in the land of the free

And pray to God we never see Hamilton’s candidacy.

 -- “Hamilton: The Musical,” Cabinet Battle 1, 2014

 “The proposed bank is to consist of an association of persons, for the purpose of creating a joint

capital, to be employed, chiefly and essentially, in loans. So far the object is not only lawful, but it is the mere exercise of a right which the law allows to every individual.”

 -- Alexander Hamilton, 1791

 “And in the last place, it will be argued, that [the creation of the National Bank] is clearly within the

provision which authorizes the making of all *needful rules* *and regulations* concerning the property of the United States, as the same has been practices upon by the Government.”

 -- Alexander Hamilton, 1791

“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, 1791

Hamilton: If we assume the debts, the union gets

A new line of credit, a financial *diuretic.*

How do you not get it? If we’re aggressive and competitive

The union gets a boost. You’d rather give it a sedative?

 -- “Hamilton: The Musical,” Cabinet Battle 1, 2014

**The Enumerated vs. Implied Powers of Congress Debate: Should the**

**powers of the new U.S. national government be strictly limited to those ‘enumerated’ in the U.S. Constitution, or should it be given powers ‘implied’ by the document?**

“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 to the States, are reserved to the States or to the people.’ To take a single 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.”

-- Thomas Jefferson, 1791

“[The ‘necessary and proper clause’] would reduce the whole instrument to a single phrase, that of instituting a Congress with power to do whatever would be for the good of the United States; and, as they would be the sole judges of the good or evil, it would be also a power to do whatever evil they please.”

-- Thomas Jefferson, 1791

“Experience hath shown that even under the best forms of government those entrusted with power have in time, and by slow operations, perverted it into Tyranny.”

-- Thomas Jefferson, 1790

“That the General Assembly doth particularly PROTEST against the palpable and alarming infractions of the constitution, in the two late cases of the "Alien and Sedition Acts," passed at the last session of Congress; the first of which exercises a power nowhere delegated to the Federal Government, and which, by uniting legislative and judicial powers to those of [the] executive, subverts the general principles of free government, as well as the particular organization and positive provisions of the Federal Constitution; and the other of which acts exercises, in like manner, a power not delegated by the Constitution, but, on the contrary, expressly and positively forbidden by one of the amendments thereto,-a power which, more than any other, ought to produce universal alarm, because it is leveled against the right of freely examining public characters and measures, and of free communication among the people thereon, which has ever been justly deemed the only effectual guardian of every other right.”

-- Resolution of the State of Virginia Legislature, 1798

“Constitutions should consist only of general provisions, the reason is that they must necessarily be permanent, and they cannot calculate for the possible change of things.”

-- Alexander Hamilton, 1791

“To deny the power of the Government to add this ingredient to the plan, would be to refine away all government.”

-- Alexander Hamilton, 1791

“In framing a government which is to be administered by men over men the great difficulty lies in this: You must enable the government to control the governed, and in the next place, oblige it to control itself.”

-- Alexander Hamilton, 1791

“The constitution you have ordained for yourselves and your posterity contains this express clause: "The Congress shall have power to lay and collect taxes, duties, imports, and excises, to pay the debts, and provide for the common defense and general welfare of the United States." You have, then, by a solemn and deliberate act, the most important and sacred that a nation can perform, pronounced and decreed that your representatives in Congress shall have power to lay excises. You have done nothing since to reverse or impair that decree.”

-- Alexander Hamilton, 1794

**The Balance of National and State Powers Debate: Should the new U.S.**

**national government be more powerful or less powerful than state governments?**

“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 [a powerful national government]. 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, 1787

“The 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 unauthoritive, 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.”

-- Resolution of the State of Kentucky Legislature, 1798

“Representatives should be a true picture of the people. They should understand their circumstances and their troubles. Therefore, the number of representatives should be so large that both rich and poor people will choose to be representatives. If the number of representatives is small, the position will be too competitive. Ordinary people will not attempt to run for office. A middle-class yeoman will never be chosen. So, the government will fall into the hands of the few and the rich. This will be a government of oppression. The rich consider themselves above the common people, entitled to more respect. They believe they have the right to get anything they want.”

-- Melancton Smith, 1788

“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, 1788

"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 legislatures.

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.
-- Resolution of the State of Rhode Island Legislature, in response to resolutions passed by the Kentucky and Virginia legislatures, 1798

“The Anti-Federalists seem to think that a pure democracy would be the perfect government. Experience has shown that this idea is false. The ancient democracies of Greece were characterized by tyranny and run by mobs. The Anti-Federalists also argue that a large representation is necessary to understand the interests of the people. This is not true. Why can’t someone understand fifty people as well as he understands twenty people? The new constitution does not make a rich man more eligible for an elected office tha a poor person. I also think it’s dangerous to assume that men become more wicked as they gain wealth and education. Look at all the people in a community, the rich and the poor, the educated and the ignorant. Which group has higher moral standards? Both groups engage in immoral or wicked behavior. But it would seem to me that the behavior of the wealthy is less wicked and sinful.”

-- Alexander Hamilton, 1788