

Handouts A-C Answer Key

Handout A: James Madison – Excerpts from *Federalist No. 10* (1787) Answer Key

1. A number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community
2. Students may maintain that modern political parties are factions to the extent that those parties are hostile to the rights of other citizens or to the aggregate interests of the community.
3. “...that our governments are too unstable, that the public good is disregarded in the conflicts of rival parties, and that measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority.”
 - a. “A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good. So strong is this propensity of mankind to fall into mutual

animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts.”

4. Operation of the government; unsteadiness and injustice resulting from a factious spirit.

Handout B: Jefferson and Hamilton on the National Bank Answer Key

Thomas Jefferson, *Opinion on the Constitutionality of the Bill for Establishing a National Bank* (1791)

1. Answers may include: Jefferson referred to the Tenth Amendment, which provides that any power not delegated to the U.S. by the Constitution belongs to the states or to the people. Also, he noted that incorporation of a bank is not included in the enumerated powers of Congress. Furthermore, he explained that interpreting the General Welfare clause broadly would nullify the enumeration of Congress’s powers, and would give Congress the power to do whatever good—or whatever evil—they choose.

Alexander Hamilton’s *Opinion on the National Bank* (1791)

1. Implied powers “are as effectually delegated as” the expressed powers, and implied powers are inherent in the definition of government: “To deny the power of the government to add these

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ingredients to the plan, would be to refine away all government.” Therefore, the creation of a national bank is constitutional because there is a natural relation between the national bank and one or more of the lawful purposes of government.

2. These two approaches reflected important differences in how the Constitution would be interpreted and applied to practical questions about government policy.

Handout C: Tocqueville’s Observations about Political Parties in America, *Democracy in America*, Chapter 10 Answer Key

1. Parties are necessary because [W]hen the citizens entertain different opinions upon subjects which affect the whole country alike, such, for instance, as the principles upon which the government is to be conducted, then distinctions arise that may correctly be styled parties. Parties can be evil because they “kindle violent passions.” Controversies between parties can lead to injustices.
2. Accept reasoned responses.