

## United States Constitution: Strict or Broad Construction?

1  
2 In the early development of our country, many people have the wrong picture that all of the  
3 Founding Fathers who wrote the Constitution were striving for the same goals. After studying this  
4 time period, I have found the complete opposite; two rival political parties formed, the Federalist  
5 Party led by Alexander Hamilton, and the Democratic-Republican Party, led by Thomas Jefferson.  
6 Both leaders disagreed about many political issues, and I believe that the political label that fits me  
7 best would be a Federalist, and my views and ideologies would make me a "good Hamiltonian."

8 The first major political party that emerged during the founding of our nation was the  
9 Federalist Party, led by our first Secretary of the Treasury Alexander Hamilton. The federalists  
10 believed in a broad constructionist view of the Constitution, which means that they believe the  
11 Constitution can be interpreted to meet the evolving needs of the growing country and people This is  
12 the opposite of the Democratic-Republicans, who believed in a strict constructionist view, meaning  
13 that they believe the document should be followed strictly word for word and not open to  
14 interpretation. The Federalist believed in a strong and central government, and this can be seen as  
15 reflected through many of Hamilton's beliefs and laws. One of the main issues in the early  
16 development of our country was the vision of the role of the national government; some people  
17 thought that the power should rest in the bands of the state, while others believed that the power  
18 should rest in the hands of the national government.

19 The Federalists were firm believers in a strong national government, because they felt that it  
20 would provide the necessary political and economic order in our developing country. They believed  
21 the wealthy "elite" should rule over the masses, because they were better educated than most of the  
22 people in the country and would be able to make smart economic and political decisions. Hamilton  
23 wanted the national government to be able to control commerce, tax, declare war, and make treaties,  
24 even though most of those things were not specifically laid out word for word in the Constitution  
25 (thus broad constructionism). Another big issue was the payment of national and state debts, since our  
26 nation was in massive debt from the Revolutionary War. Hamilton believed that the national

1 government should pay for all state debts and fund the debts at their full value. By doing this, it  
2 would help insure confidence in the American economy as well as helping to consolidate the many  
3 debts. It would also give our country good credit, which was something that we needed in the early  
4 days of our country. Good credit would help grow the economy of the nation, so Hamilton was a  
5 strong supporter of the uptake of the states' debt by the national government. Hamilton also believed  
6 in tariffs on imported goods, which would generate lots of revenue to help pay off the debt. Another  
7 issue of the economy was the creation of the national bank, which Hamilton and the Federalists were  
8 strong supporters of. The national bank would help us regulate currency and interest rates. Hamilton  
9 felt that the bank should be privately controlled by bankers who are invested in the nation's economy,  
10 since they would know best. Another major issue that needed to be addressed during the time was  
11 the brewing revolution in France, and whether or not to support them. Hamilton believed that the  
12 United States should support Great Britain, because they had a superior economic system and would  
13 be able to help our new and growing economy. In a letter from Hamilton to George Washington,  
14 Hamilton writes "the cutting off of intercourse with Great Britain... deprives us of... a supply  
15 necessary to us in peace and more necessary to us if we are to go to war. It gives a sudden and violent  
16 blow to our revenue which cannot easily be repaired... it will give so great an interruption t commerce  
17 as may very possibly interfere with the payment of the duties in which have heretofore accrued and  
18 bring the Treasury to an absolute stoppage of payment." Clearly, Hamilton and his party were big  
19 supporters of Great Britain and wanted strong economic ties with them to help boost and stabilize our  
20 economy. The ratification of the Jay Treaty, which was in support of Great Britain, was a piece of  
21 legislature that was considered a win for the Federalists. The Federalists also wrote and passed the  
22 Alien and Sedition Acts, which extended the minimum time requirement to become a U.S. citizen and  
23 put newspaper editors (mostly Democratic-Republicans) on trial for statement made in their papers.  
24 In defense of the Alien and Sedition Acts, Hamilton wrote "the government not merely defend itself  
25 but must attack... its' enemies." Hamilton and the Federalist Party were clearly in favor of the idea of

1 broad constructionism, and used the elastic clause of the Constitution to justify many of the acts they  
2 passed.

3         The second major political party to emerge during the founding of our nation was the  
4 Democratic - Republican Party, led by our first Secretary of State Thomas Jefferson. Jefferson was a  
5 strong believer in strict constructionism of the Constitution, which meant that he believed  
6 in following the document word for word and that this document was not open for interpretation.  
7 Jefferson supported the states' rights, and wanted a weak national government. Since most of the  
8 citizens in the country were yeoman farmers, Jefferson believed in a strong state government in order  
9 to protect these farmers from potential tyrants and to protect the best interests of the people. He  
10 argued that if we put the elite in power, they do not truly understand the needs and values of the  
11 majority of the people in the country, and the policies the elite made would only help the wealthy and  
12 not the majority of the country. In regards to the growing problem of the state and national debt, the  
13 Democratic-Republicans believed that the states should retain their own debts because it was unfair to  
14 make states like Virginia, who had already paid off their debt, to help more negligible states pay off  
15 their debts. In regards to the issue of tariffs on imported goods, Jefferson opposed them because he  
16 felt as if they hurt the farmers by making products much more expensive. Jefferson sought to hold the  
17 interests of the farmer at heart, and the taxes would hurt the farmers which made up the majority of  
18 our nation. The national bank was also a very controversial issue at the time, and Jefferson felt as if  
19 the creation of a national bank was unconstitutional and that it would place too much power in the  
20 hands of the elite. He felt as if the states should have control over the economic system, and they  
21 should have the power to create a bank if they wanted to, not the national government. Jefferson  
22 argued that the Constitution does say that any power not specified in the Constitution is delegated to  
23 the states. Jefferson wrote that "I consider the foundation of the Constitution as laid on this ground:  
24 That ..all powers not delegated to the United States, by the Constitution... are reserved to the States or  
25 to the people." To take a single step beyond the boundaries thus specially drawn around the powers of

1 Congress, is to take possession of a boundless field of power, no longer susceptible of any definition.  
2 The incorporation of a bank... have not been delegated to the United States." He wanted the states to  
3 be able to create their own bank and regulate their own money, and justified this position based on  
4 strict constructionism. Foreign policy was also on everybody's mind, and the Democratic Republicans  
5 were in strong favor of supporting France during their revolution. They argued that the French had  
6 helped support them during their revolution, so they should return the help to the French. They also  
7 did not want any ties to Great Britain, because they felt that Britain had treated them very poorly  
8 when they were colonized and wanted to break away from this country that held them captive for  
9 hundreds of years, rather than further create ties between them. The Jay Treaty, which supported  
10 Great Britain, gave Jefferson the ammunition he needed to run for the presidency in 1796. The Alien  
11 and Sedition Acts, passed by the Federalists, were a huge blow to the rights of the people and the  
12 Democratic Republicans strongly opposed it. This is what they feared a strong national government  
13 would do (impede on the rights of the people), and a big reason why Democratic-Republican states  
14 would not ratify the Constitution unless a bill of rights was included. Clearly, as seen through  
15 Jefferson's writings and policies, the Democratic Republicans were strong supporters of states' rights  
16 and used strict constructionism of the Constitution to justify their position.

17 After analyzing both sides of the argument and applying what I learned about each viewpoint  
18 to some issues facing our nation today, I have decided that I believe in broad constructionism of the  
19 Constitution and the role of a strong national government. I am a Democrat (meaning I have a more  
20 liberal ideology) and feel that the Federalist Party reflects my views better than the Democratic  
21 Republicans. I am a strong supporter of a strong national government, and believe that this is the only  
22 way to have a prosperous country. I feel as though the Constitution needs to be interpreted to meet the  
23 needs of the people, which are much different needs than when this country was founded a couple  
24 hundred years ago. We should evolve our laws to match the interests of the people, not hold them  
25 hostage so our nation cannot grow and change. Broad construction is what the people need in the

1 current state of our country. By putting power in the hands of the states, people's freedoms and  
2 liberties could be at risk of being impeded on. Different states have different views of gay marriage,  
3 for example, and if the states had more power over the national government than some states would  
4 legalize gay marriage and some states would be completely against it. This nation was founded on the  
5 principles of everybody having equal opportunity, and if states had power than many people may be  
6 denied equal opportunity based on race, gender, sexual orientation, financial standing, etc. If we have  
7 a strong national government, it can protect the freedoms of all peoples and prevent states from  
8 impeding on these guaranteed freedoms. I also believe that a strong national government would make  
9 this country way more organized and would help our country function better. For example, I feel that  
10 the recent Ebola crisis should be handled by the national government, because it would be much more  
11 organized and communication would be clearer. If states were left on their own to handle the crisis,  
12 than many different policies and actions would occur, and the country would be in a panic. If the  
13 national government had control of the crisis, the panic would be reduced and we would be much  
14 more productive. Clearly, I believe in the role of a strong national government and would make a  
15 "good Hamiltonian."

16 The founding of our country led to the emergence of two political parties; the Federalists. led  
17 by Alexander Hamilton, and the Democratic Republicans, led by Thomas Jefferson. Hamilton  
18 believed in broad constructionism and a strong national government, while Hamilton believed in strict  
19 constructionist views and believed in the power of state governments. I personally would side with  
20 Alexander Hamilton, and find that my beliefs align more closely with his. I think this country needs a  
21 strong national government in order to carry out the needs of the people. During the early years of our  
22 nation, many issues needed to be addressed and as a result two distinct ideologies and viewpoints  
23 emerged. The emergence of two distinct political parties has made a huge impact on our politics  
24 today, as we still have a divided two party system in practice.

## Works Cited

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## Work Sample Evaluation

**Subject Area:** U.S. History

**Task Title:** The U.S. Constitution: Strict or Broad Construction?

**Student Work Sample Title:** The United States Constitution: Strict or Broad Construction?

The document was scored using the CCR Task Bank Rubric. The final scores are indicated in the following chart.

Scoring Criteria	Insufficient Evidence	Developing	Progressing	Accomplished	Exceeds
Research and Investigation				X	
Ideas and Content				X	
Reading and Analysis				X	
Communication				X	
Organization				X	
Accuracy			X		

**Annotations:** The following evidence from the work sample and the reviewer’s comments support the scores above. Page and line numbers refer to the original work sample.

Scoring Criteria	Page #	Line #	Commentary about the work sample
<b>Research and Investigation:</b> <i>Locating resources independently and/or identifying information within provided texts</i>	6		All sources range from good to excellent with an emphasis on scholarly and authoritative orientation.
	6		Works Cited page formatted as per MLA guidelines.
<b>Ideas and Content:</b> <i>Presenting a thesis and understanding concepts</i>	1	6-7	The author employs a thesis that includes his/her own stance on construction, though it could be more specific on the nature of disagreement between Hamiltonians and Jeffersonians.
	2		The essay works effectively with economic concepts, such as tariffs and a national bank.
	1	20-22	In this instance and others, the author competently demonstrates how Jefferson and Hamilton reached their positions by providing context, such as the Federalist distrust of the masses and various consequences of the War for Independence.
<b>Reading and Analysis:</b> <i>Examining and evaluating sources, data, and/or supporting evidence</i>	5		The author incorporates contemporary issues, such as gay marriage and the Ebola outbreak, into his/her analysis.
	All		Quotes are well-chosen and always receive at least some explanation in the author’s own words.
	All		The essay effectively conveys how Hamiltonians and Jeffersonians felt about government in the context of their own time.
	4	17-20	The author could develop the irony that, although he/she is a self-identified Democrat who prefers the Federalist view, it was not the Federalist Party that provided most of the philosophical and political foundation for the creation of the Democratic Party. In other words, terms such as liberal and conservative evolve over time.
<b>Communication:</b> <i>Using subject appropriate language and considering audience</i>	2	6	“Lots” – overly casual language.
	5	9	“Way more” – overly casual language.
	All		A few minor errors aside, the author communicates professionally and in a discipline-specific manner.



Scoring Criteria	Page #	Line #	Commentary about the work sample
<b>Organization:</b> <i>Structuring main ideas and incorporated supporting information</i>	All		The author makes a reasonable effort to evaluate the two schools of thought rather than merely defining them.
	6		Although the conclusion does not depart significantly from the preceding paragraph, the essay is structured in a way that lays out a clear train of thought.
	All		Transitions are effective and in no way detract from the flow of the essay.
	3	3	The paragraph beginning on page 3 could stand to be broken up, but does not cause a substantial problem.
<b>Accuracy:</b> <i>Attending to detail, grammar, spelling, conventions, citations, and formatting</i>	2	5	“Uptake” is employed incorrectly.
	1	2	Numerous instances of the first person plural in use (our, us, we).
	2	8	A sentence is ended with a preposition (also on pg 5, line 2).
	2	16	Typo
	3	4	Consecutive sentences have the same word ending the former and beginning the latter.
	4	24	“Bold” is used where author wanted hold.
	3	14	“Negligible” is used where author wanted negligent.
	1		“Believed” is used excessively in paragraph two. Synonyms should be employed.
	1	1	Title could stand to be more imaginative.
	2	14-18	No in-text citations – just quotation marks.