In the DBQ, you must compose an essay that uses both your interpretation of the documents and your own outside knowledge of the period.

**Question: Explain the issues that created the greatest controversies during the ratification of the United States Constitution (1787–1788) and analyze how those issues continued to divide the nation during the two decades following ratification (1789–1809).**

**Document A**

**Source: James Madison,  The Federalist paper number 10, November 22, 1787.**

Among the numerous advantages promised by a well-constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. . . .

[T]he most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. . . . A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations. . . . The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government. . . .

If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote. It may clog the administration, it may convulse the society; but it will be unable to execute and mask its violence under the forms of the Constitution. . . .

[T]he greater number of citizens and extent of territory which may be brought within the compass of republican [government] . . . renders factious combinations less to be dreaded. . . . Extend the sphere, and you take in a greater variety of parties and interests.

**Document B**

**Source: George Mason, from a debate in the Virginia Ratifying Convention, June 4, 1788.**

Mr. Chairman, whether the Constitution be good or bad, the present clause clearly discovers that it is a national government, and no longer a Confederation. I mean that clause which gives the first hint of the general government laying direct taxes. The assumption of this power of laying direct taxes does, of itself, entirely change the confederation of the states into one consolidated government. This power, being at discretion, unconfined, and without any kind of control, must carry everything before it. The very idea of converting what was formerly a confederation to a consolidated government, is totally subversive of every principle which has hitherto governed us.

**Document C**

**Source: George Washington, letter to the Marquis de Lafayette, February 7, 1788.**

With regard to the two great points (the pivots on which the whole machine must move) my Creed is simply:

[First] that the general Government is not invested with more Powers than are indispensably necessary to perform [the] functions of good Government; and, consequently, that no objection ought to be made against the quantity of Power delegated to it.

[Second] that these Powers (as the appointment of all Rulers will forever arise from, and, at short stated intervals, recur to the free suffrage of the People) are so distributed among the Legislative, Executive, and Judicial Branches, into which the general Government is arranged, that it can never be in danger of degenerating into a monarchy, an Oligarchy, an Aristocracy, or any other despotic or oppressive form; so long as there shall remain any virtue in the body of People. . . .

Should that which is now offered to the People of America, be found an experiment less perfect than it can be made—a Constitutional door is left open for its amelioration. . . . So many . . . contradictory, and, in my opinion, unfounded objections have been urged against the System in contemplation; many of which would operate equally against every efficient Government that might be proposed. I will only add, as a farther opinion founded on the maturest deliberation, that there is no alternative . . . between the adoption of this and a recurrence to an unqualified state of Anarchy, with all its deplorable consequences.

**Document D**

**Source: United States Supreme Court,  Marbury v. Madison, 1803.**

Certainly all those who have framed written constitutions contemplate them as forming the fundamental and paramount law of the nation, and consequently the theory of every such government must be that an act of the legislature repugnant to the constitution is void. . . .

It is emphatically the province and duty of the judicial department to say what the law is. Those who apply the rule to particular cases must, of necessity, expound and interpret that rule. If two laws conflict with each other, the courts must decide on the operation of

each. . . .

The judicial power of the United States is extended to all cases arising under the

Constitution.

**Document E**

