

Title: Debate over the Ratification of the Constitution

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Key Words: Federalists, Anti-federalists, Ratification, Constitution, Bill of Rights, amendments, sovereignty

Grade Level: 12

Time Allotted: 45-60 minutes

Rationale/ Purpose (so what?)
To understand the arguments for and against ratification of the Constitution and the distinctions between the opposing sides.

Key Concept(s) include definition:

- Federalism – system in which power is divided between national and state governments.
- Confederation – loose association of independent states that agree to cooperate on specified matters.
- Centralization of power – the concentration of a government's power - both geographically and politically, into a government in which power is concentrated in a central authority to which local governments are subject.
- Distribution of power – allocating power into different political subdivisions.
- Authority - the ability to make laws, independent of the power to enforce them, or the ability to permit something.
- Liberties – freedoms guaranteed to individuals.
- Power - the ability to influence the behavior of others" with or without resistance.

NCSS Standard(s)**SOL Information (As written in the Virginia SOL "Curriculum Framework" for the grade level)****NCSS Theme (s) with indicators:**

1. Individuals, Groups and Institutions

a) Help learners analyze group and institutional influences on people, events and elements of culture in both historical and contemporary settings.

2. Civic Ideals and Practices

a) Provide opportunities for learners to practice forms of civic discussion and participation consistent with the ideals of citizens in a democratic republic.

b) Facilitate learner efforts to locate, access, analyze, organize, synthesize, evaluate and apply information about selected public issues identifying, describing and evaluating multiple points of view.

c) Assist learners to understand the origins and interpret the continuing influence of key ideals of the democratic republican form of government.

3. Power, Authority and Governance

a) Help students to explain the purpose of government and how its powers are acquired, used and justified.

b) Help learners identify and describe basic features of the American political system.

SOLs:	
Essential Knowledge (minimum for SOL Resource Guide)	Essential Skills (minimum for SOL Resource Guide)
<p>4a) The student will demonstrate knowledge of the Constitution of the United States of America by examining the ratification debates and <i>The Federalist</i>.</p> <p>4c) The student will demonstrate knowledge of the Constitution of the United States of America by examining the fundamental principles upon which the Constitution is based, including the rule of law, consent of the governed, limited government, separation of powers, and federalism.</p> <p>5a) The student will demonstrate knowledge of the federal system described in the Constitution of the United States of America by explaining the relationship of the state governments to the national government;</p>	<p>1d) The student will demonstrate mastery of the social studies skills citizenship requires, including the ability to distinguish between relevant and irrelevant information.</p> <p>1g) The student will demonstrate mastery of the social studies skills citizenship requires, including the ability to select and defend positions in writing, discussion, and debate.</p>

Guiding Question(s):

- Why did some people believe that the United States needed to redesign the government?
- Why were people opposed to the new plan?

Assessment Tool(s):

- Debate
- Debate preparation handout
- T-chart
- Individual 1 page analysis

Background: How does this lesson fit into a unit of study? Looking backwards, looking forwards

Before: Problems with the Articles of Confederation

After: Adoption of the Constitution and the addition of the Bill of Rights

Lesson Objective(s):

Students will be able to:

1. Identify and debate the reasons for and against ratification of the Constitution, focusing on key terms, concepts, ideas, people and positions.
2. Compare and contrast arguments for both sides.

Historical Source(s): (include copies in materials section)

- Government issued textbook
- Selected quotes from James Madison, Alexander Hamilton, Brutus and Patrick Henry

Additional Materials/Resources: (include copies in materials section)

- Background information handout
- Debate preparation handout
- Debate procedure handout

Procedure/Process:

JUST DO IT! The "Hook": (A high-interest activity that introduces new content with connections to students' prior knowledge. Between 1-5 minutes (Could also introduce the days guiding question))

Obj # See above.	Processing Activity and Procedure -include directions, question frames, assignment detail to be given to students (these should all be made into explicit materials (e.g. see material A), and time estimates	Check for Evidence of Understanding -Either Formal or Informal- (Checks Essential Knowledge and Skills)
Just do it.	See material A, 10 minutes	Oral response

Transition:	What is the historical significance of the just do it?	
Objective #1	Identify and debate the reasons for and against ratification of the Constitution. See material B, 15-20 minutes.	Debate
Transition:	After debating let's create a T-chart to discuss and compare the key points of both sides.	
Objective #2	To re-emphasize arguments and concepts analyzed in the debate. See material C, 5 minutes.	T-chart

Closure/Writing Prompt:

Individually create an analysis of the two positions on a single sheet of paper following these directions:

- Divide your paper in half.
- Label one half "Federalist" and the other "Anti-Federalist".
- Choose an over-arching theme or symbol for each side.
- Write or sketch some of the main arguments for each side.
- Cast your vote for or against ratification based on the debate.
- On the back of your paper, justify your vote in one paragraph.

Material A:

Just Do It...
Create Your Own Classroom Constitution (5 minutes)

Create a list of rules/guidelines for the classroom if you, the student, were in charge for the following situations:

- Legitimacy: Should this exercise even be allowed? Could you make future changes to your constitution? If so, how? If not, why not? Would amendments be an easy or difficult process?
- Authority: Who should be in charge? One teacher? Every student students? A collection of students? Both? How would they gain their power of authority?
- Representation: Should students to represented in sharing control of the classroom? What would representation look like?
- Checks and Balances: If you balanced control of the classroom, how would you balance power in your constitution?
- Classroom Rights: Would you have a basic list of liberties that all people in the classroom could abide by? If so, what are they? If not, why?
- Religion: Would religion be apart of your constitution? If so, how? If not, why not?

And some recap...(5 minutes)

- Where was power located? Who was in charge?
- What would be the importance of having amendments to your constitution?
- How was power distributed? How were students and teacher represented?
- Was religion incorporated into your constitution?
- Did you attempt to control power?
- What were some basic rights of the people in the classroom?
- What was the historical significance of the Just Do It assignment?

Material B:**Debate: Anti-Federalists v Federalists (15-20 minutes)**

- SWBAT: identify and debate the reasons for and against ratification of the Constitution, focusing on key terms, concepts, ideas, people, and positions.
- Directions:
 - We will be provided background information and quotes for their position (either Federalist and Anti-Federalist)
 - After dividing into groups, take 5 minutes to read the information and another 5 minutes to discuss your intended arguments as a group.

And now for some specifics...

- We have also provided a handout to help you follow along with the debate and record information so you will have something to refer back to (Hint! Hint!)
- The groups are:
 - Federalists: Matt, Todd, Katie, Bernadette, Anthony
 - Anti-Federalist: Robbie, Sherry, Ashley, Jay, Karen, Dan
- Get into your groups now and begin reading/discussing your position

Structure of the Debate

- Coin flip to determine which sides presents opening argument
- Schedule for Side 1 and Side 2 (on handout):
 - Opening Arguments from both sides
 - Responses/Rebuttals
 - Present Question(s) for the opposition
 - Response from opposition
 - Closing Arguments

Federalists

(Supporters of the Constitution)

Background Information:

Early Federalists such as Alexander Hamilton, James Madison, and John Jay faced a difficult problem. They had to convince the people in the states that the new federalism of the Constitution was better than the old confederacy. While they deeply believed that the United States needed a strong central government to survive, they also knew that many people feared the centralization of power. The colonial experience with the power of British government was still fresh in people's minds.

The Federalists argued that without a strong national government anarchy, or political disorder would triumph. They claimed that only a strong national government anarchy, or political disorder, would triumph. They claimed that only a strong national government could protect the new nation from enemies abroad and solve the country's internal problems. They also claimed that a Bill of Rights was not needed since eight states already had such bills in their state constitutions. To gain the necessary support, however, the Federalists promised to add a Bill of Rights to the Constitution as the first order of business under a new government.

Quotes:

"It is of great importance in a republic not only to guard the society against the oppression of its rulers, but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens. If a majority be united by a common interest, the rights of the minority will be insecure. There are but two methods of providing against this evil; the one by creating a will in the community independent of the majority-that is, of the society itself; the other, by [including] in the society so many separate descriptions of citizens as will render an unjust combination of a majority of the whole very improbable, if not impracticable. The first method prevails in all governments possessing a hereditary or self-appointed authority [monarchy or dictatorship]. This, at best, is but a precarious security; because a power independent of the society may as well espouse the unjust views of the major as the rightful interests of the minor party, and may possibly be turned against both parties. The second method will be exemplified in the federal republic of the United States. Whilst all authority in it will be derived from and dependent on the society, the society itself will be broken into so many parts, interests, and classes of citizens, that the rights of individuals, or the minority, will be in little danger from interested combinations of the majority...In the extended republic of the United States, and among the great variety of interests, parties, and sects which it embraces, a coalition of a majority of the whole society could seldom take place on any other principles than those of justice and the general good."

-James Madison, *The Federalist*, No. 51, 1788

“The proposed Constitution, so far from implying an abolition of the State governments, makes them constituent parts of the national sovereignty, by allowing them a direct representation in the Senate, and leaves in their possession certain exclusive and very important portions of sovereign power. This fully corresponds...with the idea of a federal government.”

-Alexander Hamilton, The Federalist, No. 9, 1787

“Two great points of difference between a democracy and a republic are: first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended. The effect of the first difference is...to refine and enlarge the public views by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations...”

-James Madison, The Federalist, No. 10

Information taken directly from:

Remy, Richard C. (1998). *United States Government: Democracy in Action*. New York: Glencoe.

Anti-Federalists

(Opponents of the Constitution)

Background Information:

The Anti-Federalists criticized the Constitution for having been drafted in secrecy. They claimed the document was extralegal, not sanctioned by law, since the Convention had been authorized only to revise the old Articles. They further argued that the Constitution took important powers from the states.

The Anti-Federalists' strongest argument, however, was that the Constitution lacked a Bill of Rights. They warned that without a Bill of Rights, a strong national government might take away the human rights won in the Revolution. They demanded that the new Constitution clearly guarantee the people's freedoms.

Quotes:

"A consolidation of this extensive continent under one government [under the Constitution of 1787] cannot succeed, without a sacrifice of your liberties."

-Brutus

"In every free government, the people must give their assent to the laws by which they are governed. This is the true criterion between a free government and an arbitrary one. The former are ruled by the will of the whole [the people], expressed in any manner they may agree upon; the latter by the will of one, or a few. If the people are to give their assent to the laws, by persons chosen and appointed by them, the manner of the choice and the number chosen must be such, as to possess, be disposed, and consequently qualified to declare the sentiments of the people; for if they do not know, or are not disposed to speak the sentiments of the people, the people do not govern, but the sovereignty is in a few. Now, in a large extended country, it is impossible to have a representation, possessing the sentiments, and of integrity, to declare the minds of the people..."

-Brutus, 1787

"In...a good constitution...the power is committed to [representatives with] the same feelings...and...the same objects as the people [have] ... who transfer to them their authority. There is no possible way to effect this but by an equal, full and fair representation...For without this it cannot be a free government; let the administration of it be good or ill, it still will be a government, not according to the will of the people, but according to the will of a few... A farther objection against the feebleness of the representation [in a Constitution of 1787] is that it will not possess the confidence of the people...If then this government [Constitution of 1787] should not derive support from the good will of the people, it must be executed by force, or not executed at all; either case would lead to the total destruction of liberty." -Brutus, 1787

“The necessity of a Bill of Rights appears to me to be greater in this government than ever it was in any government before...All rights not expressly and unequivocally reserved to the people are impliedly and incidentally relinquished to rulers...If you intend to reserve your unalienable rights, you must have the most express stipulation; for...If the people do not think it necessary to reserve them, they will supposed to be given up.”

-Patrick Henry, 1787

“I am sure they were fully impressed with the necessity of forming a great consolidated government instead of a confederation...and the danger of such a government is, to my mind, very striking...Who authorized them to speak the language of “We, the people,” instead of “We the states”?...If the states be not the agents of this compact, it must be one great, consolidated, national government of the people of all the states...If consolidation proves to be as mischievous to this country as it has been to other countries, what will the poor inhabitants of this country do? This government will...destroy the state governments and swallow the liberties of the people, without giving previous notice...”

-Patrick Henry, 1787

Information taken directly from:

Remy, Richard C. (1998). *United States Government: Democracy in Action*. New York: Glencoe.

Preparation for Ratification Debate

Federalist/Antifederalist (circle one)

List people mentioned in the proceedings favorable to your cause

Develop a list of at least 4 arguments in favor of your position:

1.

2.

3.

4.

others?

Record at least one quote that can be incorporated into the debate.

Compile a list of tough questions for the opposing side.

Debate procedure:

1. Flip a coin to determine which side presents the opening argument.
2. Side 1: Opening argument
3. Side 2: Opening argument
4. Side 1: Rebuttal
5. Side 2: Rebuttal
6. Side 1: Presents a question to the opposing side
7. Side 2: Answers the question
8. Side 2: Presents a question to the opposing side.
9. Side 1: Answers the question
10. Side 2: closing argument
11. Side 1: closing argument

Material C:**Conclusion Exercise**

- After reviewing the classroom constitution and Federalist v Anti-federalist debate...let's create a T-chart to discuss and compare the key points of both sides
- Did any of your views change about the rules/guidelines you created?
- Would you add anything else? Change some of them? Would you make compromises to gain support from other students? (Such as Madison's Compromise to propose the Bill of Rights to the Constitution to win support from Anti-federalist to secure ratification)

Teacher Notes (Reflections/clarifications/explanations):

The two groups will be provided with background information that only discusses their specific side. For scaffolding purposes, certain groups might benefit from having information from both sides presented to them. But, for advanced groups it is better to have them think on their feet about how they will respond to the opposing arguments because it demonstrates that they have really grasped the information from the lesson.

For such an activity, it is important to choose heterogeneous groups so that students can work together collaboratively to achieve tasks they might not be able to do on their own.

Note that a strict time structure may be given for each step of the debate if time is a critical issue. However, if ample time exists it would be better to leave off any time restraints because it can severely limit the discussion which is where the bulk of the learning will take place.

Depending on the abilities of your students, it might be a good idea to go over rules for a debate as well as strategies for being successful.