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TAH
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Constitutional Ratification: The Federalist Papers, Key Figures, and Bill of Rights

This following curriculum unit is for an elective course, American Government, offered to juniors and seniors. The course is a College Preparatory Course, meaning that students will vary and the class will include several students from Special Education. The unit on the Constitution is relatively small with the entire unit probably lasting less than two weeks. This is according to the Mashpee High School curriculum guide which is scheduled for revision this year. The course is one semester and will be offered this spring.

Typically, the students have learned about the ratification of the Constitution through their work in United States History I course during their ninth grade year. The text used by the students, *The American Vision*, by Glencoe Publishing denotes three pages to the ratification process. Therefore for these students the ratification of the Constitution should be a relatively new concept for them. This unit will allow the students to delve deeper in the ratification of the Constitution. They will have the opportunity to experience the debate and arguments through primary sources, debate, discussion and lecture.

National Council for Social Studies Standards

Strand IV: Power, Authority, Governance

- A. Examine persistent issues involving the rights, roles, and status of the individual in relation to the general welfare
- B. Explain the purpose of government and analyze how its powers are acquired, used, and justified

Strand X: Civic Ideals and Practices

- A. Explain the origins and interpret the continuing influence of key ideals of the democratic republican form of government, such as individual dignity, liberty, justice, equality, and the rule of law
- B. Identify, analyze, interpret, and evaluate sources and examples of citizen's rights and responsibilities

Massachusetts State Frameworks

The Nature of Citizenship, Politics, and Government

- USG.1.5 Explain how the rule of law, embodied in a constitution, limits government to protect the rights of individuals.
- USG.1.9 Examine fundamental documents in the American political tradition to identify key ideas regarding limited government and individual rights.

Foundations of Government in the United States

- USG.2.2 Analyze and interpret central ideas on government, individual rights, and the common good in founding documents of the United States.
- USG.2.4 Define and provide examples of foundational ideas of American government, including popular sovereignty, constitutionalism, republicanism, federalism, and individual rights which are embedded in founding-era documents.

Habits of the Mind

Perceive past events and issues as they were experienced by people at the time, to develop historical empathy as opposed to present-mindedness.

Recognize the importance of individuals who have made a difference in history, and the significance of personal character for both good and ill.

Read widely and critically in order to recognize the difference between fact and conjecture, between evidence and assertion, and thereby to frame useful questions.

Objectives

1. To examine the ideological differences between the Federalist and Anti-Federalists.
2. To investigate the arguments of both the Federalists and Anti-Federalists.
3. To research the beliefs of individuals in regards to Ratification.
4. To present these beliefs through debate.
5. To analyze and evaluate the compromises that allowed ratification to occur.

Time Frame

Four or five class periods

Background

On September 17, 1787 the delegates at the Philadelphia Convention completed the

final draft of the United States Constitution. In order to do this, the delegates had to come to terms with the differences between small and large states. They did this through the Connecticut or Great Compromise. This created the two house system. Northern and Southern delegates still had to come to terms with the issue of slavery. If the Southern states did not count slaves their representation, and therefore power, in the House would be greatly diminished. The solution, the Three-Fifths Compromise, stated that every five enslaved people would count as three free persons. With these compromises, the Constitution moved to a new phase, ratification. Nine of the thirteen states would need to ratify for the Constitution before it could be put into effect.

The ratification of the Constitution was by no means guaranteed. The anxiety of the framers is evident through their letters. James Madison, George Washington, and others seemed to fear the very real possibility that the Constitution would fail to be ratified by the states. Anti-Federalists such as Patrick Henry, John Hancock, George Mason, and George Clinton were not against a federal government but were worried about the power of federal government over the state governments. *The Federalist*, a collection of 85 essays written by Federalists, explained the ways that Constitution would work and why it needed to be ratified. The Anti-Federalists did not have the same organization however their arguments can be found in articles and letters. This debate is a key component of the unit.

The debate over the new Constitution was in part solved with the promise of a bill of rights being added to the Constitution. In September of 1789, Congress would agree on these amendments and ten of them would take effect in 1791. These first ten amendments to the Constitution would become known as the Bill of Rights.

Prior to this unit, students should have a general understanding of the Articles of Confederation and regional differences of the United States. This would be provided through the use of textbooks, lectures, and other methods in the prior units. In addition, the students would have some basic knowledge of some of the key founding fathers such as Thomas Jefferson, Alexander Hamilton, George Washington, Patrick Henry, James Madison and George Mason.

Materials

List of websites for research for each student. Focus on primary sources.
Rules and rubric for debates.
School library resources: internet, journals, and books.

Procedures

Activity 1. Establish historical context for the lesson. (1 class period)

A. Through lecture and discussion and homework students will be familiarized with the following: (see attached PowerPoint)

1. Need for a Constitutional Convention
2. The Founders – Key figures
3. The Virginia Plan
4. The New Jersey Plan
5. The Connecticut Compromise
6. The Three-Fifths Compromise
7. Separation of Powers, Checks and Balances
8. Rules for Amending the Constitution

Activity 2. Homework:

A. Students will be asked to write an essay in which they explain how compromise was necessary in order to complete the final draft of the Constitution. Their answer should include information from the day's lecture/discussion and PowerPoint. Assessment #1.

Activity 3. Use primary sources to prepare for class debate on ratification. (1 90 minute period)

- A. Class will be divided into two equal groups. One will be assigned to represent Federalists and the other Anti-Federalists.
- B. Class will be brought to library to begin research. Research will use available texts, journals, as well as suggested websites. Questions on which to focus research will be provided to students. See Handout A at the end of the lesson plan.

C. Homework – Continue to research at home.

Activity 4. Debate (1 class period, unless the students need more time)

- A. Students will be instructed on rules of debate. See Handout A at the end of the lesson plan.
- B. Debate will begin with opening statements from both the Federalists and Anti-Federalists. Following the opening statements both sides will take turns presenting arguments. Each student will have an opportunity to present or refute arguments.
- C. Student will be assessed according to rubric they will receive at the beginning of activity three. See Handout C at the end of the lesson plan.
- D. Homework – Students will self evaluate their performance in the debate.

Activity 5. Ratification process – wrap up unit.

- A. Through lecture and discussion students will be familiarized with the following: (see attached PowerPoint)
 - 1. Early Ratifications Pennsylvania, New Jersey, Georgia, Connecticut
 - 2. Massachusetts Ratification
 - 3. Maryland, South Carolina, New Hampshire
 - 4. Virginia
 - 5. New York
 - 6. North Carolina, Rhode Island
 - 7. Bill of Rights

Activity 6 Assessment – Homework

- A. Students will be asked to type an essay that focuses on the process of creating the Constitution and the ratification process. Students will be asked to analyze how close the Constitution came to failing. They will also be asked to evaluate the performance of the Founding Fathers.

Bibliography

Amar, Akhil Reed. *America's Constitution: A Biography*. Random House, 2006.

Berkin, Carol. *A Brilliant Solution: Inventing the American Constitution*. Harcourt, 2002.

<http://www.yale.edu/lawweb/avalon/federal/fed.htm> Yale Avalon Project

Handout A

Research Questions Focus

- 1) What were the main arguments of the Federalists and Anti-Federalists?
- 2) Who were the main leaders of each side?
- 3) Find quotations or speeches from at least two members of your assigned argument. (Federalist or Anti-Federalist)
- 4) What are the compromises that your argument may have to agree to? What will you concede?
- 5) List your five strongest arguments.

Internet Suggestions and Resources Available in Mashpee High School Library

- 1) Carol Berkin's book *A Brilliant Solution*
- 2) <http://www.yale.edu/lawweb/avalon/federal/fed.htm> Yale Avalon Project - has each of the federalist papers
- 3) <http://www.loc.gov/search/constitution.html> Library of Congress on Constitution – includes letters of founding fathers as well as other primary sources
- 4) <http://www.constitution.org/afp/afp.htm> Provides links to Anti-Federalist papers such as the Borden Collection and Patrick Henry speeches

Rules for the Debate

Resolved: Ratification of the draft of the Constitution would disastrous for the rights of states and individuals.

- 1) The Anti-Federalists will be arguing the affirmative and the Federalists the negative.
- 2) Each side will present an opening statement. Following the statements each side will take turns refuting each other and presenting new arguments for their side.
- 3) At no time will there be interruptions of the speakers.
- 4) Please see attached rubric.

