

## ***To Ratify or Not To Ratify: Federalists v Anti-Federalists Debates***

### **Background**

Each year a substantial portion of our eighth grade curriculum is geared towards the creation of the U.S. Constitution and the importance of compromise in determining the path our new government would take. We typically spend the later part of the school year discussing the relevance of the Declaration of Independence in what would inevitably result in the first attempt at a functioning government, namely the Articles of Confederation. Students quickly become aware of the inadequacies of a central government under the Articles of Confederation shortly after the Revolutionary War with events such as Shays' Rebellion, boundary conflicts between states and unfair trade tariffs within the United States and abroad. Students generally realize that something must be done in order to preserve the union and are reminded of Benjamin Franklin's advice in 1754, "Join or Die" and the nature of the meaning of his words as they pertain to the year 1787. Therefore, we study in great detail, the four months between May, 1787 and September, 1787 otherwise referred to as the Second Continental Congress, in terms of the key roles our founding fathers played in creating a new government through compromise and determination. We examine the debates between small states and large states regarding representation as having a huge impact on decisions made with respect to slavery, federalism, and the balance of power between the states and central government. In other words, students begin to see the emergence of a "republic" in favor of a "monarchy". After four long, hot summer months in Philadelphia debating, compromising, and drafting the new Constitution, the delegates finally reached a consensus and on September 17, 1787, 39 of the original 55 delegates signed the U.S. Constitution. Students are aware that three-fourths, or nine of the thirteen states, must ratify the Constitution at their perspective state ratifying conventions in order for the Constitution to take effect.

### **Objectives**

- Students will understand that the road to ratification was paved with doubt, difficulty, and differences of opinions.
- Students will become familiar with Federalists and Anti-Federalists arguments for and against ratification of the Constitution.
- Students will view a DVD of the New York ratifying convention and identify specific Federalist and Anti-Federalist strategies used to gain support for their side.
- Students will construct a Venn Diagram

- Students will examine primary source documents to identify specific Federalist and Anti-Federalist arguments for and against ratification.
- Students will determine the impact of the Bill of Rights during the ratification process.

## State Standards

**USI.8** Describe the debate over the ratification of the Constitution between Federalists and Anti-Federalists and explain the key ideas contained in the Federalist Papers on federalism, factions, checks and balances, and the importance of an independent judiciary. (H, C)

**USI.9** Explain the reasons for the passage of the Bill of Rights. (H, C)

**USG.2.9** Compare and contrast ideas on government of the Federalists and the Anti-Federalists during their debates on ratification of the U.S. Constitution (1787–1788).

## Time Frame

Four to five class periods

## Essential Question

- What recurring themes about government and the rights of the people existed during the state ratification debates and continue to exist well into the 21<sup>st</sup> century?

## Vocabulary for the unit:

- federalist, anti-federalist, Federalist Papers, Anti-Federalist Papers, propaganda, Bill of Rights, ratifying convention, republic, sovereignty

## Day 1

Part 1: Warm Up Activity

Students will respond to the following quote:

***"Mr. President: I confess that there are several parts of this Constitution I do not at present approve, but I am not sure I will never approve them; for having lived long I have experienced many instances of being obliged by better information, or fuller consideration, to change opinions even on important subjects, which I once thought right, but found to be otherwise.....On the whole, Sir, I cannot help expressing a wish that every member of the Convention who may still have objections to it, would with me, on this occasion doubt a little of his own infallibility, and to make manifest our unanimity, put his name to this instrument."***

Questions for discussion:

1. Who is “Mr. President”?
2. What is Benjamin Franklin saying about the Constitution?
3. What prediction can you make about the ratification process based on Franklin’s quote?

Part 2: Learning Activity

Using the text and a handout:

- A. Students will read the section from the text, *The Story of America*, entitled, “Ratifying the Constitution” to begin to identify the points of views expressed by Federalist and Anti-Federalists at various state ratifying conventions. Students will read and interpret a ratification timeline to identify the ninth state to ratify as well as answer questions about the significance of that state’s ratification.
- B. Students will further identify major differences between Federalists and Anti-Federalists during the ratification process by reading a fictional conversation between John Jay and Elbridge Gerry and answering questions about the reading.

Part 3: Practice

- A. Students will be asked to interpret a political cartoon and answer the questions that follow for homework.

## Day 2

Part 1: Warm Up Activity

Students will respond to the following quote:

**Patrick Henry said he did not attend the convention because he “smelled a rat.” Based on your readings and class discussion, what do you think he meant by this?**

Part 2: Learning Activity

Handout outlining the views of Federalists and Anti-Federalists

- A. Students will read and examine the T-Chart to identify the arguments of the Federalists and Anti-Federalists.
- B. Students will discuss with a partner the need for a Bill of Rights.
- C. Students will work with a partner to create a slogan that a Federalist and Anti-Federalist may have used during the debates for ratification.

### Part 3: Practice

Students will answer questions based on a worksheet given for homework.

## Day 3

### Part 1: Warm Up Activity

Students will respond to the following quote:

**“A consolidation of this extensive constitution under one government (under the Constitution of 1787) cannot succeed, without a sacrifice of your liberties.”**

Question for discussion:

Is the author of this quote a Federalist or Anti-Federalist? What is the author referring to in this quote? Do you agree or disagree with this quote?

### Part 2: Learning Activity

Using Media:

- A. Students will view the DVD, “An Empire of Reason” and will be asked to record specific reasons given by Federalists and Anti-Federalists during the New York State Ratifying Convention in support of their positions.
- B. After viewing the DVD, students will discuss the ratification debate in small groups and come up with a consensus as to the main arguments given by both sides. Students will then report their findings to the whole class as a brief news report.

### Part 3: Practice

Students will use the information from today’s lesson in order to construct a Venn Diagram

## Day 4

### Part 1: Warm Up Activity

Students will respond to the following quote:

**“A bill of rights is what the people are entitled to against every government on earth, general or particular, and what no just government should refuse or rest on inference.”**

Is the author of this quote a Federalist or Anti-Federalist? What is the author trying to say about the Bill of Rights? What does the author mean by a “just government”?

## Part 2: Learning Activity

Primary source documents linked below which support Federalist and Anti-Federalist sentiment during the ratification debates:

1. [Federalist No. 10](#)
2. [Federalist No. 23](#)
3. [George Mason: Objections to the Constitution](#)
4. [Brutus, Jr. November 8, 1787](#)

Students will read and interpret the primary sources as a group and identify the author's point of view.

Students will cite specific lines from the primary source to support the author's point of view.

Students will discuss the impact of a Bill of Rights as it pertains to the primary source documents.

### Practice: Open Response

Many of the ideas in the Federalist/Anti-Federalist debates seem to some quite relevant today. Some would say it all boils down to a question of the benefits of a strong central government versus states' rights or the rights of states to make their own decisions. Others would say it is a question of more government controls versus an individual's personal right to make his or her own decision as to what is best for him or her. After studying both sides of the debates for and against ratification, how do you feel? Based on all that we've done this week, would you classify yourself as a Federalist or Anti-Federalist and why? If the 1787 Constitution were presented today for ratification, would it be ratified? Why or why not? What issues are still relevant today as in 1787? What issues are different?

# Day 1 Activity: A Fictional Conversation between John Jay and Elbridge Gerry



## Handout 2 - To Sign or Not to Sign: A Read-Aloud Play

### Characters:

**John Jay**, a citizen of New York and a Federalist

**Elbridge Gerry**, a delegate from Massachusetts and an Anti-Federalist

**John Jay:** Mr. Gerry, I humbly request that you reconsider your reasons for not supporting this Constitution.

**Elbridge Gerry:** But Mr. Jay, I cannot stand by it! I cannot sign my name to a document that does not secure the rights of every American.

**Jay:** But we are accounting for that. We will have a chance to amend the Constitution.

**Gerry:** Yes, but should free people adopt a form of government that they believe needs amendment? This document is unacceptable!

**Jay:** This document is as good as we can make it. Tell me Mr. Gerry, do you think it is possible to come up with a better plan? We cannot please everyone. I say that delaying the ratification of this Constitution will put our country at great risk.

**Gerry:** I know, you believe that our enemies will see our indecision as weakness, and our creditors may stop lending to us. But isn't personal freedom important, too?

**Jay:** We have been meeting for such a long time. What if we reject this Constitution? Would we ever be able to come up with something better?

**Gerry:** What do you suggest we do?

**Jay:** I believe we should ratify the Constitution, give it a fair amount of time to work for the people, and fix it as time, occasion, and experience may dictate. What do you suggest we do, Mr. Gerry?

**Gerry:** I believe we should add a bill of rights that secures the liberties of the American people. It pains me to disagree so strongly with those who signed, but I sincerely believe that the American people deserve to have their rights protected.

**Jay:** Well, Mr. Gerry, we are putting this decision in the hands of the American people.

**Gerry:** Indeed, and I sincerely hope that whatever Constitution is finally adopted will secure the liberty and happiness of America.

Answer the following questions with your partner.

1. What is the strongest reason John Jay gave for signing the Constitution?
2. What is the strongest reason Elbridge Gerry gave for NOT signing the Constitution?
3. Which delegate do you agree with? Why?



**AMERICAN HISTORY POLITICAL CARTOONS**

**Ratifying the Constitution**



Collection of the New-York Historical Society

**UNDERSTANDING POLITICAL CARTOONS**

Study the political cartoon, and then answer the questions that follow.

1. Why are the states represented by pillars in a foundation?

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2. According to the cartoon, how many states have ratified the Constitution?

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3. Why does the cartoon suggest that all the states should ratify the Constitution?

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## Day 2 Handout and Class Activity

### Positions on the Constitution

Anti-Federalists	Federalists
<p>Throughout history, the only places where republican governments had worked had been small communities. In those communities, the people had been about equal in wealth and had held the same values. People who are not too rich or too poor are more likely to possess civic virtue and to agree on what is best for their common welfare. The new nation was so large and diverse that people would not be able to agree on their common welfare.</p>	<p>History has proven that all of the small republics of the past had been destroyed by selfish groups. The civic virtue of the citizens had not been enough to prevent them from seeking their own selfish interests rather than working for the common welfare. A large republic, where the government was organized on the basis of checks and balances, and power was divided between the national and the state governments, would be better. Under such a government, it would be more difficult for special interests to attain their goals and violate the common welfare.</p>
<p>Free government requires the active participation of the people. The national government would be located too far from most people's communities to allow them to participate. As a result, the only way the government would be able to rule would be through the use of military force. The result would be a tyranny.</p>	<p>The national government would be so good at protecting the rights of the people that it would soon gain their loyalty and support. It could not become a tyranny because of the limitations placed on it by the system of checks and balances and separation of powers.</p>
<p>The Constitution gives the national government too much power at the expense of the state governments. It gives the government the power to tax citizens and to raise and keep an army. The supremacy clause means all the national government's laws are superior to laws made by the states. As a result, it would only be a matter of time until the state governments were destroyed.</p>	<p>It is true that the national government would have greater power than it did under the Articles of Confederation. But its powers are limited to tasks that face the entire nation, such as trade, currency, and defense. Experience has shown that a stronger national government is needed to deal with these problems. The Constitution provides adequate protections for the state governments to prevent their being destroyed by the national government.</p>
<p>The necessary and proper clause is too general and, as a result, gives too much power to the national government. It is dangerous not to list the powers of the government in order to put clear limits on them.</p>	<p>The necessary and proper and general welfare clauses are necessary if the national government is to do the things it is responsible for doing.</p>

The Constitution gives too much power to the executive branch of government. It would soon become a monarchy.

A strong executive branch is necessary for the national government to be able to fulfill its responsibilities. The powers of the national government are separated and balanced among the three branches so no one can dominate the others. The Constitution gives the Congress and the Supreme Court ways to check the use of power by the executive branch so it cannot become a monarchy.

The Constitution does not include a bill of rights which is essential for protecting individuals against the power of the national government.

A bill of rights is unnecessary because the powers of the government are limited. A bill of rights would give the impression that the people could only expect protection of those rights that were actually listed.



What slogans might the Federalists and Anti-Federalists be using? Write one of your own.

Name: \_\_\_\_\_

Date: \_\_\_\_\_

## Homework Assessment

Using your handout from class, answer the following questions in paragraph form:

1. Explain what you think were the best reasons for ratification. Then, explain what you think were the best reasons against ratification.

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2. Would you have voted to ratify the Constitution as written in 1787 (without a Bill of Rights)? Explain your answer.

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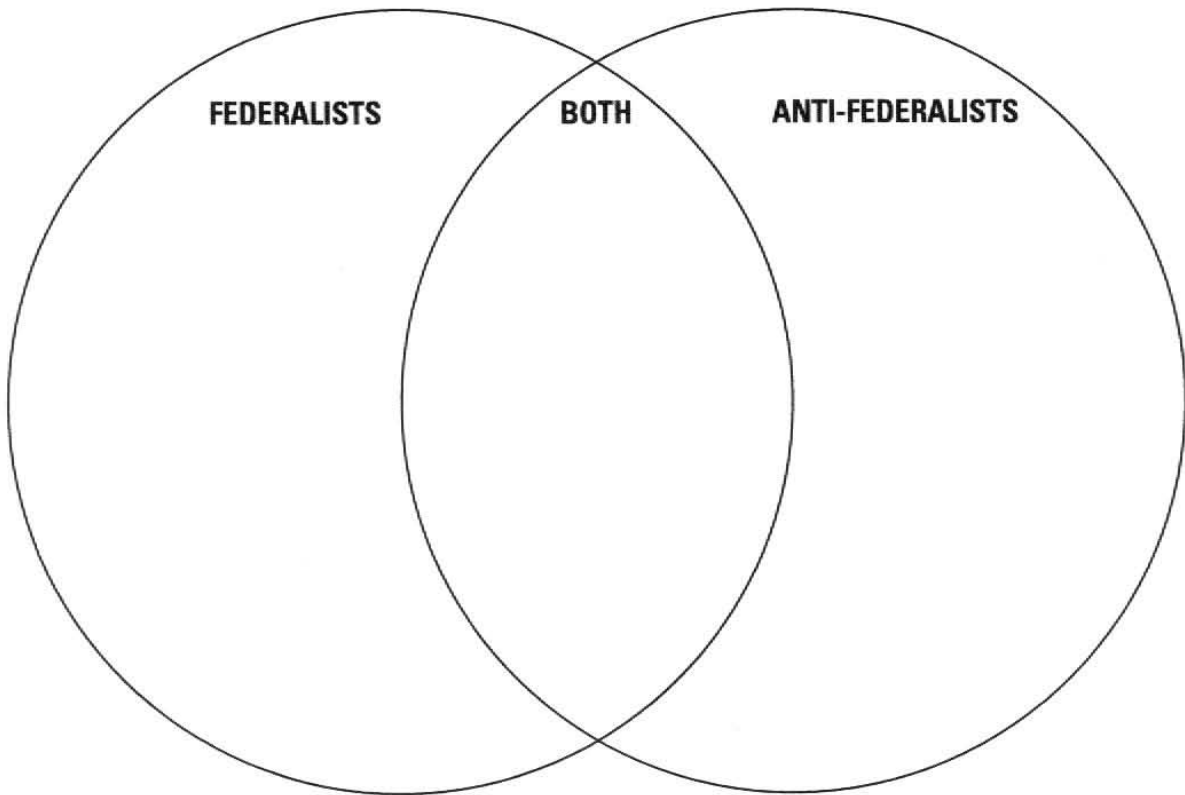
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# Day 3 Class Activity

The Bill of Rights and *The Founders*

## LESSON 2 **Federalists & Anti-Federalists Venn Diagram**

**Directions:** Fill in the chart with positions of Federalists, Anti-Federalists, and the points on which they agreed.



STUDENT HANDOUT-B

# Day 4 Group Activity

The Bill of Rights and *The Founders*

## **LESSON 2** *Understanding Positions of Federalists and Anti-Federalists*

**Directions:** Fill in the chart below with positions of Federalists and Anti-Federalists. Then answer the questions below.

FEDERALISTS	ANTI-FEDERALISTS

1. Name two points of agreement among Federalists and Anti-Federalists.

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2. Which point do you think is each side's strongest argument?

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## References

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