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A More Perfect Union: The Origins and Development of the U.S. Constitution

The Debate over Ratification: Federalist and Anti-Federalist Arguments

Background: Most of the delegates to the Philadelphia Convention signed the Constitution on September 17, 1787. Their product would become law of the land only if ratified by at least nine of the thirteen states. Supporters of the proposed Constitution called themselves Federalists and labeled their opponents Anti-Federalists. The names stuck, even though the opponents argued that they—not the Constitution’s supporters—were the real believers in a truly “federal” system, a confederation of equal states.

Opinions varied greatly over the key concepts of the Constitution. Ideas like Republicanism, Federalism, Separation of Powers, Checks and Balances, Congress, the Presidency, the Judiciary and the Bill of Rights produced factions that were either in favor of or against the concepts discussed in the Constitution. A heated debate ensued between both groups that would be played out in pamphlets, newspapers and popular speeches. Men like Thomas Jefferson, Richard Henry Lee, Alexander Hamilton, James Madison, George Clinton and others would have an opinion on the matter. The ideological differences debated over ratification would eventually lead to factions and eventual political parties.

Lesson Objectives:

Students who have completed this lesson will be able to:

1. Explain why the Anti-Federalists opposed ratifying the Constitution
2. Explain the role of Anti-Federalists in proposing a bill of rights
3. Explain the key arguments of the Federalists
4. Should be able to evaluate, take, and defend positions on the continuing relevance and validity of both the Federalist and Anti-Federalist arguments

Massachusetts State Framework Alignment

American History I

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)

Materials:

Constitution of the United States (1787)

<http://teachingamericanhistory.org/library/index.asp?document=2>

Gordon Lloyd's introduction to the Federalist

<http://teachingamericanhistory.org/fed-antifed/federalist.html>

Gordon Lloyd's introduction to the Anti-Federalist

<http://teachingamericanhistory.org/fed-antifed/antifederalist.html>

Federalist Documents:

Address to the People of the United States (Benjamin Rush)

<http://teachingamericanhistory.org/library/index.asp?document=1779>

A Foreign Spectator (Nicholas Collin)

<http://teachingamericanhistory.org/library/index.asp?document=1658>

Benjamin Franklin's Speech, Federal Convention (Benjamin Franklin)

<http://teachingamericanhistory.org/library/index.asp?document=1734>

A Democratic Federalist (Pennsylvania Herald)

<http://teachingamericanhistory.org/library/index.asp?document=1935>

A Landholder I (Oliver Ellsworth)

<http://teachingamericanhistory.org/library/index.asp?document=1650>

Anti-Federalist Documents:

Cato I (Cato)

<http://teachingamericanhistory.org/library/index.asp?document=1929>

Letter to George Mason (Richard Henry Lee)

<http://teachingamericanhistory.org/library/index.asp?document=1846>

Federal Farmer I (Anonymous)

<http://teachingamericanhistory.org/library/index.asp?document=609>

Brutus I (Brutus)

<http://teachingamericanhistory.org/library/index.asp?document=849>

John DeWitt I (John DeWitt)

<http://teachingamericanhistory.org/library/index.asp?document=1683>

Title: Launch Lesson: Federalists and Anti-Federalists
US History I
Date: TBA
Expected number of students: 20-25

Objective: Students will be able to:

- Identify the major differences between the Federalists and Anti-Federalists on various Constitutional issues
- Understand who the key supporters were on these Constitutional issues

Learning Standard(s) to which this lesson refers:

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)

Materials Needed for the Lesson:

- A copy of the *Constitution*
<http://teachingamericanhistory.org/library/index.asp?document>
- Chart of differences between the Federalists and Anti-Federalists (See Appendix A-1)
- Gordon Lloyd's introduction to the Federalist
<http://teachingamericanhistory.org/fed-antifed/federalist.html>
- Gordon Lloyd's introduction to the Anti-Federalist
<http://teachingamericanhistory.org/fed-antifed/antifederalist.html>

Activities:

1. Students will be broken into groups of four or five and given a copy of the *Constitution*. In addition, they will receive a copy of Gordon Lloyd's introductions to the Federalist and the Anti-Federalist perspectives. Within that group two students will focus on Federalist perspectives and two students will focus on Anti-Federalist perspectives.
2. They will use the documents to depict the different perspectives between Federalists and Anti-Federalists on the chart (see Appendix)

Teacher Comments: This activity will take approximately the whole period (60 minutes). If any students do not finish the chart in class, they should finish it for homework.

Title: Individual Federalists and Anti-Federalists Opinions on the Constitution

US History I

Date: TBA

Expected number of students: 20-25

Objective: Students will be able to:

- Understand some of the key supporters perspectives on these Constitutional issues

Learning Standard(s) to which this lesson refers:

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)

Materials Needed for the Lesson:

- A copy of the *Constitution*
<http://teachingamericanhistory.org/library/index.asp?document>
- Chart of differences between the Federalists and Anti-Federalists (See Appendix A-1)
- Completed Chart of Differences (See Appendix A-2)

Activities:

1. Teacher and students will spend first ten minutes going over the completed chart (see Appendix A-2)
2. Students will then look at primary sources from various individuals and answer questions regarding the perspectives of each individual (see below)
3. Students will then be divided into groups of four. Two groups (Groups 1 and 2) will represent the Federalists and two groups (Groups 3 and 4) will represent the Anti-Federalists. Depending on the numbers in the class, you will need to divide groups evenly. Instruct students that they will be participating in a debate between Federalists and Anti-Federalists (see debate instructions)
4. Handout Primary Sources for each group

Teacher Comments: It is important that all groups get the primary sources in advance in order to prepare properly for the debate. Students will need to read over their primary sources for homework and then will spend the following day putting the debate together in their respective groups.

Title: Independent preparation in groups for debate
US History I
Date: TBA
Expected number of students: 20-25

Objective: Students will be able to:

- Understand some of the key supporters perspectives on these Constitutional issues
- Explain why the Anti-Federalists opposed ratifying the Constitution
- Explain the role of Anti-Federalists in proposing a bill of rights
- Explain the key arguments of the Federalists

Learning Standard(s) to which this lesson refers:

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)

Materials Needed for the Lesson:

Federalist Documents:

Address to the People of the United States (Benjamin Rush)

<http://teachingamericanhistory.org/library/index.asp?document=1779>

A Foreign Spectator (Nicholas Collin)

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Anti-Federalist Documents:

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Brutus I (Brutus)

<http://teachingamericanhistory.org/library/index.asp?document=849>

John DeWitt I (John DeWitt)

<http://teachingamericanhistory.org/library/index.asp?document=1683>

Activities:

1. Students will spend the period in their debate groups planning their arguments and going over their strategy. Groups 1 and 3 will be debating the merits of Republicanism, Federalism and the Presidency based upon the Constitution and the primary source documents provided. Groups 2 and 4 will be debating the merits of Separation of Powers, Checks and Balances and a Bill of Rights based upon the Constitution and the primary source documents provided.

Teacher Comments: Teacher's should travel from group to group to go over documents with students and make sure they are on the right track in forming their arguments based on the documentary evidence. Documents will range in difficulty but students working together with the help of the teacher should be able to form legitimate arguments representing the particular perspective that they have been asked to defend.

Title: Debate
US History I
Date: TBA
Expected number of students: 20-25

Objective: Students will be able to:

1. Evaluate, take, and defend positions on the continuing relevance and validity of both the Federalist and Anti-Federalist arguments

Learning Standard(s) to which this lesson refers:

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)

Materials Needed for the Lesson:

Students should have prepared remarks for the debate (see handout on debate instructions)

Evaluation:

"Ratification Debates Essay"

Position Paper

You are to prepare a scholarly paper on the general topic of the ratification debates after the Philadelphia Convention. Specifically, you can focus on:

- 1) A Federalist Argument
- 2) An Anti-Federalist Argument
- 3) A particular topic covered in the Constitution, i.e. Republicanism, Federalism, Checks and Balances, etc

Develop one or two arguments, reasons, or interpretations, rather than attempting to cover the waterfront.

You should organize your case and develop it in such a way that it can stand on its own two feet in terms of total impact.

Don't be too narrow; don't be too broad in setting up the paper. Strike a happy medium!
Remember to illustrate your line of attack with sound historical examples or pertinent illustrations.

Give your efforts a title which will arouse interest, encourage the reader to read on, and suggest some indication of the contents as well as your point of view (this means that like the historian, you may be interpretative in assessing the facts).

The paper must be submitted in typewritten form (1-2 pages, typewritten pages) and double spaced.

Primary Source Perspectives on the Constitution

Please read the following sources and answer the questions that follow

Reading 1:

These lawyers, and men of learning, and moneyed men, that talk so finely, and gloss over matters so smoothly, to make us poor illiterate people swallow down the pill, expect to get into Congress themselves...and then they will swallow up all us little folks, like the great Leviathan.

Amos Singletary, 1788

Reading 2:

I am a plain man, and get my living by the plough...I have lived in a part of the country where I have known the worth of good government by the want of it. There was a black cloud [Shays' Rebellion] that rose in the east last winter, and spread over the west...It brought on a state of anarchy and that led to tyranny. I say, it brought anarchy. People that used to live peaceably, and were before good neighbors, got distracted, and took up arms against government....

Our distress was so great that we should have been glad to snatch at anything that looked like a government. Had any person that was able to protect us come and set up his standard, we should all have flocked to it, even if it had been a monarch, and that monarch might have proved a tyrant.

Jonathan Smith, Massachusetts farmer

Reading 3:

A little rebellion, now and then, is a good thing, and as necessary in the political world as storms in the physical....It is a medicine necessary for the sound health of government.

The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants.

Thomas Jefferson, 1787

Reading 4:

It cannot be denied with truth, that this new constitution is, in its first principles, most highly and dangerously, oligarchic.

Richard Henry Lee, 1787

Reading 5:

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....Complaints are everywhere heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty; that our governments are too unstable; that the public good is disregarded in the conflict of rival parties; and that measures are too often decided, not according to rules of justice, and the rights of the minor party; but by the superior force of an interested and overbearing majority....

The Federalist, 1799

Federalist and Anti-Federalist Positions on Ratification of the Constitution

	FEDERALISTS	ANTI-FEDERALISTS
Republican Government		
Federalism		
Separation of Powers and Checks and Balances		
The Congress		
The Presidency		
The Judiciary		
The Bill of Rights		

Ratification Positions:

1. Articles of Confederation were a good plan.
2. Opposed strong central government. Opposed a standing army and a 10 square mile federal stronghold (later District of Columbia).
3. Strong national government threatened state power.
4. Strong national government threatened rights of the common people. Constitution was created by aristocratic elements. Suspected a sinister plot to suppress liberty of the masses.
5. Constitution favored wealthy men and preserved their power. Opposed the dropping of annual elections for representatives.
6. Constitution lacked a bill of rights. State governments already had bills of rights but they might be overridden by the Constitution.
7. Argued against 2/3 ratification plan. Articles of Confederation required unanimous consent.
8. Opposed omitting any reference to God.

Antifederalists -- states' rights advocates, backcountry farmers, poor farmers, the ill-educated and illiterate, debtors, & paper-money advocates.

In general, the poorer classes of society.

Ratification Positions:

1. Articles of Confederation were weak and ineffective.
2. National government needed to be strong in order to function. Powers in foreign policy needed to be strengthened while excesses at home needed to be controlled.
3. Strong national government needed to control uncooperative states.
4. Men of experience and talent should govern the nation. "Mobocracy" threatened the security of life and property.
5. National government would protect the rights of the people.
6. Constitution and state governments protected individual freedoms without bill of rights. Since people could take back delegated power to the gov't, there was no risk that the national gov't would overreach.
7. In favor of establishing the Constitution with almost any means possible.
8. More sympathetic to separation of church and state.

Federalists -- Well educated and propertied class. Most lived in settled areas along the seaboard.

Federalist vs. Anti-Federalist Debate

The debate will consist of the entire class in groups of four. Each student will be responsible for contributing to the debate.

Using the primary source documents from the time, students will be debating the “merits” of the Constitution from the perspective of the Federalists and Anti-Federalists. The debate will center around Constitutional principles. Two groups (Groups 1 and 2) will represent the Federalists and two groups (Groups 3 and 4) will represent the Anti-Federalists. Depending on the numbers in the class, you will need to divide groups evenly. . Groups 1 and 3 will be debating the merits of Republicanism, Federalism and the Presidency based upon the Constitution and the primary source documents provided. Groups 2 and 4 will be debating the merits of Separation of Powers, Checks and Balances and a Bill of Rights based upon the Constitution and the primary source documents provided.

Each group will have approximately five minutes to present their side of the issue. At this time, every group member must speak. Then the other side will have five minutes to present their side of the issue. Once both sides have presented their issue then there will be two minutes respectively for each side to rebut arguments. Finally both sides will have minute for closing arguments.

Rubric for Federalist Debates

Research

It is clear that the student has used the primary sources assigned to create his/her argument.

1 2 3 4 5 6 7 8 9 10

Presentation

The student has presented themselves and his/her argument in a clear and intelligent manner.

1 2 3 4 5 6 7 8 9 10

Argument

The student’s argument is well thought out and logical and addresses all points of the issue.

1 2 3 4 5 6 7 8 9 10

Rebuttal

The student has responded logically and has addressed the issue in a polite and respectful manner.

1 2 3 4 5 6 7 8 9 10

Closing

The students closing remarks show he/she has analyzed the issue and have made a successful argument for his/her side.