Overview:

In this unit, a heterogeneous group of 11th grade students will examine the origins of the Constitution of the United States. This unit works well when students have completed a unit on the Declaration of Independence and the American Revolution. At the completion of the unit, students will have learned about the events that propelled the leaders of the Revolution to abandon the Articles of Confederation and establish a new government that sought to correct its weaknesses. They will compare and contrast the structural framework for the distribution of power in the Articles and the new Constitution. Students will identify the key principles embodied in the Constitution and working with primary documents, will reenact the debate on ratification between the Federalists and the Anti-Federalists.

Historical Background:

The national government created by the Articles of Confederation successfully concluded the Revolution and established the Northwest Ordinance. It soon became clear, however, that this new government was woefully inadequate. The Founding Fathers were so suspicious of the centralized authority they experienced under the British crown that they created a weak national government and placed most power in the states. The national government could not regulate trade and lacked both the authority to tax and the ability to establish a common currency. Conflicting claims to the unsettled lands in the West almost drove several states to arms, and there was no national judiciary to regulate disputes. The Articles did not provide for a separate executive to carry out the laws and the Congress was crippled by rules that required super majorities to enact laws or to amend the Articles. The national government was so weak it was unable to face threats from home and abroad; Indian uprisings, the British refusal to remove their troops, and the closing of the port of New Orleans by Spain. The fledgling nation was ridiculed in Europe. It was a chaotic time and the government seemed paralyzed to act.

These were serious problems, but the catalyst for the Constitutional convention was Shays’ Rebellion (1786-87). Several sections of the new nation were plunged into a recession after the war and angry farmers, burdened with debt and facing foreclosures, stormed a Massachusetts courthouse to prevent seizure of their property. The rebellion was quickly suppressed by a volunteer army, but the impact of the revolt crystallized a growing fear among the leaders of the Revolution that what they had so bravely achieved would drown in disorder and the right to property would be lost to democratic excesses.

In 1787, delegates met in Philadelphia to try to revise the weak Articles but decided instead to write a new Constitution. The presence of George Washington brought credibility to the Convention and James Madison, a student of government, brought a depth and understanding of political theory that laid the basis for the underlying principles embodied in the Constitution. Whereas the Declaration of Independence was a clarion call for liberty and revolution, the Constitution was a calming call for order and stability. What form of government would
consolidate the rights fought for in the Revolution and simultaneously establish a strong government that could curb mob violence and unify the nation to insure domestic tranquility? The Constitution they wrote separated and divided power in such a way as to create a system that would first “enable the government to control the governed; and in the next place oblige it to control itself.” Drawing ideas from the enlightenment, a long British tradition, and state Constitutions, a federal system was created dividing power between a central government and the states and within the national government, separating power among three branches. This document is the oldest written Constitution in the world and serves as model for many developing nations. Its durability rests on its ability to adapt to changing times and it serves as unifying national symbol for a diverse nation.

Major Understanding(s):

The Constitution of the United States was framed by a small group of gifted leaders from the American Revolution to restore order and stability in a climate of economic and political uncertainty that the Articles of Confederation seemed incapable of addressing. The Founding Fathers crafted a document that balances competing centers of power and endures today as a revered symbol of national unity.

Objectives: Students will:

1. Recognize the weaknesses of the Articles of Confederation and the events that led to the drafting of the Constitution by reading primary sources from Shays' Rebellion and excerpts from Federalist # 15.

2. Interpret primary sources to understand how the conflicting sectional and class interests as well as those of small and large states were resolved through compromises.

3. Explain how the Constitution consolidates the liberty won in the Revolution by restoring order and balancing competing centers of power through the underlying principles of limited government, federalism, separation of powers, checks & balances.

4. Analyze and interpret documents written by Federalists and Anti-Federalists to understand the differing perspectives regarding the issues surrounding the Constitution.

5. Debate the issues surrounding the ratification of the Constitution.

6. Understand that the addition of the Bill of Rights to the Constitution began a long historical process of expanding the political and civil rights of Americans.

7. Explain why our enduring Constitution has become a model of stability and adaptability in the world today.

Standards of Learning: The Student will:

Skills
VUS.1. The student will demonstrate skills for historical and geographical analysis, including the ability to
- identify, analyze, and interpret primary and secondary source documents, records, and data, including artifacts, diaries, letters, photographs, journals, newspapers, historical accounts, and art to increase understanding of events and life in the United States;
- evaluate the authenticity, authority, and credibility of sources;
- formulate historical questions and defend findings based on inquiry and interpretation;
- communicate findings orally and in analytical essays and/or comprehensive papers;
- develop skills in discussion, debate, and persuasive writing with respect to enduring issues and determine how divergent viewpoints have been addressed and reconciled;
- interpret the significance of excerpts from famous speeches and other documents.

Content
VUS.5a. Demonstrate knowledge of the issues involved in the creation and ratification of the Constitution of the United States of America and how the principles of limited government, consent of the governed and the social contract are embodied in it by
- Explaining the origins of the Constitution, including the Articles of Confederation.
- Identifying the major compromises necessary to produce the Constitution, and the roles of James Madison and George Washington.
- Describing the conflict over ratification, including the Bill of Rights and the arguments of the Federalists and Anti-federalists.

Culminating Assessment:
Students will role-play Federalists and Anti-federalists and debate issues surrounding the ratification of the Constitution. They will focus on online primary sources from letters and documents of the period. Before engaging in the debate students will be required to create broadsides and/or prepare written arguments supporting their positions.

Resources (bibliography and websites):

Books


that includes news articles, speeches, and letters of the participants and observers of Shays' Rebellion.

**Web Sites**

[http://www.yale.edu/ynhti/curriculum/units/1982/3/82.03.03.x.html](http://www.yale.edu/ynhti/curriculum/units/1982/3/82.03.03.x.html). A good site for documents and lesson plans on the Constitution.

[http://www.congresslink.org/print_lp_contents.htm#constitution](http://www.congresslink.org/print_lp_contents.htm#constitution). An excellent source that provides links to other sites and several lessons on the Constitution as well as a mock Constitutional Convention.


([http://www.nara.gov](http://www.nara.gov)). Provides biographies of the delegates and a wealth of primary sources.

[http://odur.let.rug.nl/%7Eusa/P/tj3/writings/brf/jefl66.htm](http://odur.let.rug.nl/%7Eusa/P/tj3/writings/brf/jefl66.htm). Excellent primary and secondary sources and classroom materials regarding the events that led to the drafting of the Constitution and the conflict over its ratification.


[http://www.gilderlehrman.org/teachers/module2/mod_tools.html](http://www.gilderlehrman.org/teachers/module2/mod_tools.html). This website is a wonderful resource for teachers of American history. For this unit it offered excellent materials (primary sources, background essays, teaching strategies, charts) including lesson modules on the Constitution and other topics as well as links to online primary sources.

[http://wikisource.org/wiki/Shall_Liberty_or_Empire_Be_Sought%3F](http://wikisource.org/wiki/Shall_Liberty_or_Empire_Be_Sought%3F). A summary of the Newburg Conspiracy and links to Washington's Newburg Address.


[http://score.rims.k12.ca.us/activity/ratification/](http://score.rims.k12.ca.us/activity/ratification/). An excellent source to organize the debate over ratification with short profiles of the major players in the Constitutional debate.

[http://www.gunstonhall.org/education/packet2](http://www.gunstonhall.org/education/packet2). Provides a lesson plan that includes the writings of George Mason and other Anti-Federalists as well as essays from the Federalists Papers.

[http://www.adena.com/adena/usa/rv/rv014.htm](http://www.adena.com/adena/usa/rv/rv014.htm). A dramatization of the "Crisis" by describing the chaotic situation in Rhode Island following the Revolutionary War from a classic history text by John Fiske published in 1916.

[http://www.pbs.org/georgewashington/classroom/index.html](http://www.pbs.org/georgewashington/classroom/index.html). This site includes a good background essay on the compromises brokered during the Constitutional Convention.

ratifying Conventions are thoughtful debates on the meaning of the Constitution.

http://www.sjchs-history.org/Shays.html. A good background source for students to learn about the Rebellion.


http://www.usconstitution.net/rat_va.html. On June 26, 1788, Virginia ratified the Constitution and recommended that a bill of rights and other amendments be added.

crs.uvm.edu/citizens/procedure.htm - 10k - A good source that provides a concise chart on parliamentary procedure

Videos/ DVDS

Liberty! The American Revolution, "Are We To Be a Nation?" PBS. A dramatization that portrays the thinkers of the Constitutional era in their own words. This is coupled with political analysis by current commentators to describe the period of nation building between the end of the Revolution and the time of the adoption of the Constitution.


Lesson 1 (Day 1)

Title: Events leading up to the Constitutional Convention

Objectives: Students will
1. Read an excerpt from Federalist # 15 (Alexander Hamilton) and primary sources to understand that the period following the Revolution was characterized by recession, territorial conflicts and threats from home and abroad.
2. Create letters to the editor, broadsides or cartoons to demonstrate understanding of the impact of Shays' Rebellion on the leaders of the American Revolution, various economic groups and political officials.
3. Recognize the deficiencies of the Articles of Confederation.

Materials:
- Excerpt from Federalist # 15
- List of roles and statements from key players in Shays Rebellion
- Rubric for product (broadside, cartoon, letter, etc/)
- Supplies such as newsprint to create a headline on Shays’ Rebellion and poster paper, magic markers, tape, and other materials for the activity

Strategies:
On newsprint, create a headline from a colonial newspaper that screams, "Daniel Shays leads rebellion in Springfield Courthouse; Massachusetts on the verge of Civil War!" Show to the class and briefly describe the events that led up to the revolt. Put students in pairs or groups of three depending on the size of the class and assign the roles listed below. Distribute the reading with primary sources that reflect the assigned roles and describe conditions at that time. Ask students to read their assigned role and then have them produce a product that would best express their role. Using selected quotes from the sources, they can create a product such as; a broadside, a cartoon, a letter to an editor, or any scenario that would describe the plight of the following individuals or groups.

Roles
- A veteran of the Revolutionary War who has not been paid for his service or has been paid in worthless continental currencies. Also, he was part of failed plot to mutiny and establish a military dictatorship with George Washington.
- A farmer who has borrowed money to buy seed and supplies, but his crop has failed or he has a surplus because of declining demand.
- A creditor whose loans are repaid in worthless continental currency or is unable to collect payments on debts.
- State political officials who are forced to raise local property taxes (primarily on farmers) to finance their governments.
- Congress, faced with bankruptcy and no steady source of revenue, is unable to repay the national debt to foreign allies and citizens who loaned the patriots money to fight the Revolution. In addition they cannot raise a national army to defend the nation from threats from home and abroad.

Have the groups assign one of their members to present their product to the class. Post the work.

Distribute the excerpt from Federalist #15 and assign a student to make a dramatic reading. Conduct a discussion summarizing the problems faced by the Americans during the post Revolutionary period.

Assignment: Complete readings from Digital History web site or assign a reading in the history textbook.

Assessment: Letters to the editor, cartoons, and broadsides (see rubrics in appendix).

Differentiation: Students will be grouped heterogeneously, assigned to shorter and less difficult primary sources to read, and will have the opportunity to choose a variety of media to complete their groups' assignment.

Lesson 2 (Days 2 and 3)

Title: Weaknesses of the Articles of Confederation

Objectives: Students will:

1. Summarize the weaknesses of the Articles of Confederation recognizing the structural framework as the primary problem.
2. Suggest revisions to correct the weaknesses
3. Compare their solutions to those found in the Constitution

Materials:
- Copies of the Constitution and the Articles of Confederation (use textbooks or copies)
- Charts
  - comparing the Articles of Confederation to the Constitution
  - recognizing structural checks and balances
  - identifying political checks and balances
  - rubrics
- Structural Diagram comparing federal, unitary systems to a confederation
- Reading from an American history text on the weaknesses of the Constitution.

Strategies (Hook)
1. Divide the class into three groups and tell the students to select their favorite rock band. Following the rules, they must select only one band. Designate different rules of the game for each group to come to a decision; a simple majority, a 2/3rds majority, and unanimity. Give the class 10 minutes to complete the task and then ask students what happened, posing the following questions:
   - Was it difficult to come to a decision? Why? Why not?
   - Do the rules of the game matter?
   - What would be a reasonable rule to expedite decision-making?
   - Would the issue matter, e.g., would more serious or polarizing issues require a larger vote?

Discuss with students the importance of the rules…"the rules of the game determine the outcome." (As an example, talk about how changing the rules in football would change the outcome and alter the way the game is played.). Tell them that we are beginning a study on the rules that govern our country and you will learn about the rules that created problems facing our country with its first Constitution, the Articles of Confederation.

2. Place students in small heterogeneous groups to work on the charts (Appendix). Ask them to recommend changes. Discuss the changes. Refer them to the Constitution to complete the chart. When completed, summarize findings. Lecture briefly on the structural problems of the Articles passing out the chart (Appendix) or using an overhead projector or a smart board comparing a federal system with a confederation and a unitary system. Emphasize the crucial difference between a federal system and a confederation: the national government in a federal system is able to exercise power directly on individuals whereas in a confederation, the national government has no direct power over individuals, but must use the state government as a conduit to the people (see charts). Make sure students understand that this was the critical issue before the convention, the distribution of power between the national government and the states. This is clearly demonstrated by the conflict over representation in the Congress, the elastic clause and Article VI and the later addition of the 10th Amendment. Assign students a reading in the history text that discusses the provisions of the Constitution.

Assessment: Rubric for Charts (Appendix)

Differentiation: Strategically group students heterogeneously and circulate the room working individually with students.
Lesson 3 (Day 4)

Title: Principles embedded in the Constitution

Objective: Students will:

Understand the principles of federalism, separation of powers, checks and balances, limited government

Materials: A layer cake and a marble cake. Newsprint, magic markers

Strategies:
Federalism is a difficult concept for students to understand. It's important for students to know that the founders finessed this issue between the states and the national government by being somewhat vague. Call their attention to the elastic clause and Article VI and look ahead to the 10th amendment to show the ambiguity.

Hook: Bring in a layer cake and a marble cake. Pair students and ask them to think about how the cakes could be symbols that represent how governments can be structured. Require students to write a brief paragraph explaining their observations (the best explanation gets the cakes, which I am sure they will share with everyone else!). Brainstorm a definition of federalism. Then summarize their ideas on the board and lead a discussion to create a working definition of the word. Supplement the definition by asking students to identify national, reserved and concurrent powers of our government (e.g., national, foreign policy, interstate commerce; reserved, education; concurrent, taxing.) Lead a discussion that helps students recognize the complexity and dynamism of federalism that has constantly shifted over the years.

Enrichment: You might consider expanding the lesson to discuss the evolving nature of federalism.

The “Layer Cake” is a metaphor for the concept of “Dual Federalism.” Dual Federalism, also often referred to as “strict construction of the Constitution,” asserts that the set of powers described in Article I, Section 8 of the Constitution belong to the national government and that all other government powers are “reserved” to the states through the 10th Amendment.
The “Marble Cake” is a metaphor for the concept of “Cooperative Federalism.” This recipe begins with the idea that there are certain problems which are national in scope and therefore require solutions that are beyond the jurisdictional reach of state and local governments. For problems of this nature, the Constitution’s “elastic clause” [Article I, Section 8] can be utilized to enable the federal government to create cooperative intergovernmental relationships between itself and states and localities. The way that laws and regulations are written and enforced, and the way that these programs are funded [often though federal grants to states and local governments], leads to a blurring of the lines of authority and responsibility between the federal and state governments.

In fact, there are many areas of intergovernmental cooperation between the federal and state governments including funds that the federal government provides and the exchange of services between the two levels. In recent years there has been a "devolution revolution" to return more power back to the states. Ask the students why they think many of the opponents to the Constitution were so afraid of this new federal system? How has the power of the national government expanded? Students can make connections to today’s issues such as the Schiavo tragedy, which developed into a federal issue regarding state versus national power. Conservatives demanded federal intervention and liberals supported state control of the issue.

Students will be more familiar with the principles of separation of powers and checks and balances. Referring to the Constitution, assign them to write a table of contents for the Constitution. Discuss its organization noting the division among the first three articles on the various branches of government, the elastic clause, and Articles nine and ten. Ask them to give some examples of checks & balances. Referring to the Constitution, have them complete the charts (Appendix) on the political and structural checks & balances and separation of powers. Collect the charts.

For homework, assign students a reading from the history text that discusses the political ideas that influenced the Founders.

**Differentiation:** Place students in pairs or threes. Distribute newsprint and assign one of the principles (federalism, separation of powers and checks and balances) and ask students to imagine they had to explain these principles to someone that did not speak their language. Tell them they need to create a drawing that would express the concept. Have each group silently
present their drawing and ask the class to identify the concept. Post the drawings.

Lessons 4 (Days 5, 6, 7, 8)

Title: Prepare for the Debate

Objectives: Students will:

1. Assume the role of a Federalist or Anti-Federalist; prepare arguments using primary sources such as The Federalist Papers, Anti-Federalist Papers, letters and other documents.
2. Debate the issues surrounding the ratification of the Constitution.

Note: To be historically accurate this debate should be centered in a state ratifying convention. The teacher could stage the debate in Virginia since many of the primary sources are documents from Virginians and there are some records from the Virginia ratification convention.

Materials:

- Charts (with questions & rubrics) comparing the economic and social status of Federalists and Anti-Federalists: [http://www.gilderlehrman.org/teachers/module2/mod_tools.html](http://www.gilderlehrman.org/teachers/module2/mod_tools.html)
- Questions for “Are We To Be A Nation?”
- Anti-Federalists Supporters
- Federalists Supporters
- Slavery Under the Constitution
- Rubric for debate
- Parliamentary Procedure…At a Glance
- Liberty! The American Revolution, "Are We To Be a Nation?"
- Worth Fighting For, Virginia’s Ratification of the U.S. Constitution.

Strategies:

Preparation for Debate: Explain to students that there was serious opposition to the Constitution and a struggle for ratification was strenuously debated. The most famous defense of the Constitution is a series of essays by James Madison, Alexander Hamilton and John Jay known as The Federalist. This primary source is considered the best discussion of the political theory underlying the Constitution and its provisions. The Federalists conducted a brilliant campaign to garner support for the Constitution. They were especially clever in their seizure of the word Federalist to describe their position. They were undoubtedly nationalists but called themselves Federalists, a term heretofore used to describe those who favored strong state power. They labeled their opponents the negative term, Anti-Federalist…what spin even back then!

Though the Anti-Federalists were not as well organized as the Federalists, they wrote some prescient articles that clearly stated the objections of some prominent Americans from that time such as George Mason, Patrick Henry, Richard Henry Lee, Robert Yates and George Clinton. Tell students that they are going to assume the roles of Federalists and Anti-Federalists and debate the merits of the Constitution. To get approval of the Constitution the Framers wisely bypassed the state legislatures, characterized by Anti-Federalists' sentiment, and designated the approval process to be conducted by special ratifying conventions elected by the people (remind
them of the restricted electorate at the time).

**Procedures:**

  Working in pairs, have students respond to the questions and draw conclusions that can be inferred from the charts. Conduct a brief discussion summarizing their findings.
- Optional (if time) show the PBS video/DVD on "Are We To Be a Nation?" Discuss worksheet (Appendix).
- To determine roles for the debate, teachers can decide among several options. Based on the information in the charts students could create their roles, or they can choose to be a Federalist or Anti-Federalists or the roles can be assigned, but the numbers should be balanced as evenly as possible. You could pair students to research roles and prepare arguments. Also, students can assume the roles of the prominent Federalists and Anti-Federalist of the period or simply make the arguments. The web site [http://score.rims.k12.ca.us/activity/ratification/](http://score.rims.k12.ca.us/activity/ratification/) is an excellent source for organizing the debate over ratification with short profiles of the major players in the Constitutional debate.
- Select two good students to lead and organize each of the parties and pair members up to prepare arguments. Provide the sources with a list of issues to debate [national government v. states (congressional representation), presidency, standing army, slavery]. Sources include letters, notes from the convention, and the Anti-Federalists and Federalists essays. If students have access to computers, create stations with bookmarked sites. Ask students to read the articles and prepare two pages of arguments. Circulate the room and assist students in their preparation of arguments, you might begin the assessment process, using the rubric (Appendix). Prepare a list of speakers.
- Distribute a chart on Parliamentary procedure and briefly review (Appendix).
- **Conduct the debate** with the teacher as chairperson.
- **Debrief.** Pose the following questions to the class:
  - Which arguments were most persuasive? Why? (Students should note the concerns that the new government would be far too powerful using examples such as the lack of a Bill of Rights, the federal structure, the necessary and proper clause, Article six, fear of a tyrannical President, fear of a standing army, the taxing power.)
  - Discuss the compromises on representation, the presidency and slavery that made the Constitution possible.
  - What concerns of the Anti-Federalists have been continuing concerns throughout our history up to today? (Students should note the expansion of federal power and the continuing debates over the extension of national power vs. state power.)

**Assessment:** Prepared arguments (rubric in Appendix), debate (rubric, Appendix)

**Differentiation:** Group the class heterogeneously and assign shorter primary readings to less able students. Some students could be reporters for a colonial newspaper and take notes. They could then write headlines and articles or draw broadsides, cartoons, charts, profiles for the newspaper.

**Lesson 5 (Day 9)**
Title: Addition of the Bill of Rights

Objectives: Students will:

1. Compare the grievances against King George listed in the Declaration of Independence to the Bill of Rights.

2. Recognize that the Virginia Declaration of Rights penned by George Mason became a model for the Declaration of Independence and the Bill of Rights.

3. Understand that the rights listed in the Bill of Rights have been gradually expanded.

Materials:
- Copies of the Declaration of Independence, the Bill of Rights and the Declaration of Rights from a history textbook.

Strategies: Guide the students to the list of grievances against the King listed in the Declaration of Independence. Ask them to compare that list to the Bill of Rights. Then ask students to review the Virginia Declaration of Rights written by George Mason. Make the point how influential these documents were in the development of the Bill of Rights.

Ask the students what they know about the expansion of the Bill of Rights over the last two centuries? As examples, refer to the fourth amendment to discuss the protections from arbitrary search and seizure. Students will most likely be familiar with the right to an attorney established in the Gideon case. Note the expansion of rights through the 14th amendment.

Lesson 6 (Day 10)

Topic: The Enduring Constitution

Objectives: Students will:

Explain why our enduring Constitution has become a model of stability and adaptability in the world today.

Materials:
- Constitution (Article V) from a history textbook

Strategies: Tell students that historically, many Constitutions have short lives (France) and many are merely facades for authoritarian regimes (China). Lead a discussion posing the following questions to students regarding the longevity of our Constitution:

1. What characteristics of the Constitution help explain its longevity? (Discuss the amending process…its federal character… and review the most recent suggestions to change the Constitution (Protection of Marriage, Electoral College, Balanced Budget, etc.).

2. What do you remember about the Civil War? It is often called the "second war of independence." Why? What were the central issues that the War raised regarding the structural
framework of the nation? Have these issues been settled?
APPENDIX

Lesson 1

Excerpt from Federalist # 15
Reading on "The Critical Period" at
List of roles and statements from key players in Shays Rebellion
Rubric for product (broadside, cartoon, letter, etc/)

Lesson 2

A. Charts
   • comparing the Articles of Confederation to the Constitution
   • recognizing structural checks and balances
   • identifying political checks and balances
   • rubrics for charts

B. Structural Diagram comparing federal, unitary systems to a confederation

Lesson 4

Charts (with questions & rubrics) comparing the economic and social status of Federalists and
Questions for “Are We to Be a Nation?”
Anti-Federalists Supporters
Federalists Supporters
Slavery Under the Constitution
Rubric for debate
Parliamentary Procedure…At a Glance

Liberty! The American Revolution, "Are We To Be a Nation?"
Worth Fighting For, Virginia’s Ratification of the U.S. Constitution.
Lesson 1

Excerpt from Federalist # 15, Alexander Hamilton

...We may indeed with propriety be said to have reached almost the last stage of national humiliation. There is scarcely anything that can wound the pride or degrade the character of an independent nation which we do not experience. Are there engagements to the performance of which we are held by every tie respectable among men? These are the subjects of constant and unblushing violation. Do we owe debts to foreigners and to our own citizens contracted in a time of imminent peril for the preservation of our political existence? These remain without any proper or satisfactory provision for their discharge. Have we valuable territories and important posts in the possession of a foreign power which, by express stipulations, ought long since to have been surrendered? These are still retained, to the prejudice of our interests, not less than of our rights. Are we in a condition to resent or to repel the aggression? We have neither troops, nor treasury, nor government. Are we even in a condition to remonstrate with dignity? The just imputations on our own faith, in respect to the same treaty, ought first to be removed. Are we entitled by nature and compact to a free participation in the navigation of the Mississippi? Spain excludes us from it. Is public credit an indispensable resource in time of public danger? We seem to have abandoned its cause as desperate and irretrievable. Is commerce of importance to national wealth? Ours is at the lowest point of declension. Is respectability in the eyes of foreign powers a safeguard against foreign encroachments? The imbecility of our government even forbids them to treat with us. Our ambassadors abroad are the mere pageants of mimic sovereignty. ... Is private credit the friend and patron of industry? That most useful kind which relates to borrowing and lending is reduced within the narrowest limits, and this still more from an opinion of insecurity than from the scarcity of money. To shorten an enumeration of particulars which can afford neither pleasure nor instruction, it may in general be demanded, what indication is there of national disorder, poverty, and insignificance that could befall a community so peculiarly blessed with natural advantages as we are, which does not form a part of the dark catalogue of our public misfortunes?

This is the melancholy situation to which we have been brought by those very maxims and councils which would now deter us from adopting the proposed Constitution; and which, not content with having conducted us to the brink of a precipice, seem resolved to plunge us into the abyss that awaits us below. Here, my countrymen, impelled by every motive that ought to influence an enlightened people, let us make a firm stand for our safety, our tranquillity, our dignity, our reputation. Let us at last break the fatal charm which has too long seduced us from the paths of felicity and prosperity.
Roles for Shays’ Rebellion Activity


**Farmers**

"I have been greatly abused, have been obliged to do more than my part in the war; been loaded with class rates, town rates, province rates, Continental rates and all rates… been pulled and hauled by sheriffs, constables, and collectors, and had my cattle sold for less than they were worth."—"Old Plough Jogger" (from newspaper) at convention in tavern (Starkey, 14)

"I have been obliged to pay and nobody will pay me. I have lost a great deal by this man and that man and t'other man, and the great men are going to get all we have, and I think it is time for us to rise and put a stop to it, and have no more courts, nor sheriffs, nor collectors, nor lawyers, and I know that we are the biggest party, let them say what they will."—"Old Plough Jogger" (from newspaper) at convention in tavern (Starkey, 15)

"Address to the Yeomanry of Massachusetts

...The extreme distress the people have suffered [for want of] food of the most homely kind gives the lie direct [to such charges] and unless their intended lordships are resolved that we should follow the example of the oppressed Irish and live wholly on potatoes and skimmed milk, I know not what method of support they have charted out for us."—George Brock, *Independent Chronicle* of Boston (Starkey, 18)

"I can tell you what we're here for. We've come to relieve the distresses of the people. There will be no court until they have redress of their grievances."—Adam Wheeler of Hubbardston (Starkey, 37)

"to crush the power of the people at one bold stroke and render them incapable of ever opposing the cruel power of tyranny, by bringing those who stepped forth to ward off the evil that threatens the people…to an unconditional submission and their leaders to infamous punishment."—response to the Governor's address (Starkey, 127-128)

"Your petitioners are not of the wicked, dissolute and abandoned… [their cause] is not confined to a factious few, but extends to towns and counties and almost every individual who derives his income from the labor of his hands…or from a farm." They were motivated by "those sufferings which disenabled them to provide for their wives and children and the discharge of honest debts… The eyes and breasts of women and children have been wounded…the houses of innocent broken into, their limbs mangled, their friends conveyed to gaol in another county and now languishing, if alive, under their wounds." "They were not afraid of "the injuries of hunger, cold, nakedness and the infamous name of rebel, as under all these disadvantages they once before engaged and through the blessing of God came off victorious. To that God they now appeal, conscious of the innocence of their intention…from a love of the people and horror of the thoughts of the cruelty and devastation of a civil war. For the prevention of so great an evil your petitioners humbly pray for the love, candor…of your excellency and honors in releasing our unfortunate and suffering friends."—petition to the Governor and council (Starkey, 107-108)
Daniel Shays

"the sole motive with me in taking the command at Springfield was to prevent the shedding of blood, which would absolutely have been the case if I had not; and I am so far from considering it a crime, that I look upon it that the government are indebted to me for what I did there."—Daniel Shays, attributed to him by General Rufus Putnam (Starkey, 119-120)

"Gentlemen: By information from the General Court they are determined to call all those who appeared to stop the court to condign punishment. Therefore I request you to assemble your men together, to see that they are all armed and equipped with sixty rounds, each man to be ready to turn out at a minute's warning. Likewise be properly organized with officers."—circular letter dated October 13 and signed Daniel Shays (Starkey, 90-91)

"The seeds of war are now sown; two of our men are now bleeding… I request you to let this letter be read and for you and every man to supply men and provision to relieve us with a reinforcement… We are determined her to carry our point. Our cause is yours. Don't give yourself a rest and let us die here, for we are all brethren."—Daniel Shays, December 2, from Worcester (Starkey, 101-102)

Governors

"to subvert all law and government and introduce riot, anarchy and confusion, which would probably terminate in absolute despotism, consequently destroying the fairest prospects of political happiness that any people was ever favored with."—Governor Bowdoin, September 2 proclamation denouncing attempt to shut down court in Northampton (Starkey, 35)

"to subvert all law and government and introduce riot, anarchy and confusion, which would probably terminate in absolute despotism, consequently destroying the fairest prospects of political happiness that any people was ever favored with."—Governor Bowdoin, September 2 proclamation denouncing attempt to shut down court in Northampton (Starkey, 35)

General Shepard

"the subversion of the constitution and government at one bold stroke…and to erect a military government for the coercion of the state by setting up his own standard…to be supported by great numbers from all the states, and be able to declare himself dictator of the whole union."—General Shepard on Shays' plans

"We do not yet feel that sameness or unity of interest which is the only cement for any nation—but this is not surprising, for our national existence is but of yesterday."—Samuel Lyman, aide to General Shepard (Starkey, 117)

Revolutionary War Veteran

"We have lately emerged from a bloody war in which liberty was the glorious prize aimed at. I earnestly stepped forth in defense of this country, and cheerfully fought to gain this prize, and liberty is still the object I have in view." Actions a consequence of his distress in seeing "valuable and industrious members of society dragged from their farms to prison, to the great damage not only of their families but the community at large."—Moses Smith (Starkey, 41)
"however great the public burdens are, attempts have not been wanting on our part to alleviate them; no member in the community is exempt from these burdens; the members of the Legislature have their full share, and can it be thought that they would designedly impose burdens on themselves or omit anything that might tend to their relief?" "And must the minor part therefore rise against the government? …Unless we submit to be controlled by the greater number, the Commonwealth must break in pieces."—Address to the People by the Legislature
Rubrics for Shays’ Rebellion Activity

The editorial, cartoon or broadside, letter is:

<table>
<thead>
<tr>
<th>Excellent if it</th>
<th>Adequate if it</th>
<th>Inadequate if it</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearly presents a view providing a descriptive or artistic expression that effectively conveys the view of their assigned role. The student fully explains the point of the product</td>
<td>Presents a view providing a descriptive or artistic expression that partially conveys the role. The student demonstrates understanding of the product.</td>
<td>Presents a view but does not accurately describe or artistically portray the view of their assigned role.</td>
</tr>
</tbody>
</table>
# Lesson 2

## COMPARISON OF ARTICLES OF CONFEDERATION TO THE CONSTITUTION

<table>
<thead>
<tr>
<th></th>
<th>Articles of Confederation</th>
<th>Change?</th>
<th>Constitution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preamble</td>
<td>Each state retains its sovereignty, freedom, and independence, and every power,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>jurisdiction, and right, which is not by this Confederation expressly delegated to the</td>
<td></td>
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<tr>
<td></td>
<td>United States, in Congress assembled… The said States hereby severally enter into a firm</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>league of friendship</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Powers of Congress</td>
<td>1) Declare war</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2) Make treaties</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>3) Establish a postal system</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4) Coin and borrow money</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>5) Regulate Indian Affairs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Process for Enacting Law</td>
<td>Each state casts one vote, regardless of population. Nine out of thirteen states must</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>approve most laws</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Organization of Congress</td>
<td>Unicameral</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive Powers</td>
<td>No separate executive branch provided. No law-enforcing powers are granted to Congress</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Judicial powers</td>
<td>None provided</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Process of Amendment</td>
<td>Unanimous approval</td>
<td></td>
<td></td>
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<tr>
<td>Powers of the states</td>
<td>States retain all powers not specifically granted to Congress</td>
<td></td>
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</tr>
</tbody>
</table>
### Political Checks and Balances

<table>
<thead>
<tr>
<th></th>
<th>Electors</th>
<th>Length of Term</th>
<th>Constituency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>President</strong></td>
<td>Electoral College</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Congress</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) House of Representatives</td>
<td>People [by District]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2) Senate</td>
<td>State Legislatures [directly elected since 1913]</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Judges</strong></td>
<td>President Appoints</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Senate Approves</td>
<td></td>
<td></td>
</tr>
<tr>
<td>STRUCTURAL CHECKS AND BALANCES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>President on Congress</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>President on the Courts</td>
<td></td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Congress on the President</td>
<td></td>
<td></td>
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<tr>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Congress on the Courts</td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Courts on the President</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Courts on the Congresss</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Structural Diagram

Unitary

People

Confederation

States

People

National

States

People
# COMPARISON OF ARTICLES OF CONFEDERATION TO THE CONSTITUTION

<table>
<thead>
<tr>
<th></th>
<th>Articles of Confederation</th>
<th>Constitution</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Preamble</strong></td>
<td>Each state retains its sovereignty, freedom, and independence, and every right, which is not by this Confederation expressly delegated to the United States, in Congress assembled… The said States hereby severally enter into a firm league of friendship</td>
<td>We the people (5 pts)</td>
</tr>
</tbody>
</table>
| **Powers of Congress**       | 6) Declare war  
7) Make treaties  
8) Establish a postal system  
9) Coin and borrow money  
10) Regulate Indian Affairs | Powers granted to Congress in Article I, Section 8, but Article I, Section 10 denies these powers to the states. National government can act directly on the people (10 pts) |
| **Process for Enacting Law** | Each state casts one vote, regardless of population. Nine out of thirteen states must approve most laws. | A majority vote for legislation in both houses with super majorities required for treaties and Constitutional Amendments (5 pts) |
| **Organization of Congress** | Unicameral                                                                                 | Bicameral                                                                    |
| **Executive Powers**         | No separate executive branch provided.                                                     | Separation of powers (5 pts)                                                 |
| **Judicial powers**          | None provided                                                                              | Separate court system                                                        |
| **Process of Amendment**     | Unanimous approval                                                                         | Article 5 (explained) (15 pts)                                                |
### POLITICAL CHECKS AND BALANCES

<table>
<thead>
<tr>
<th></th>
<th>Electors</th>
<th>Length of Term</th>
<th>Constituency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>President</strong></td>
<td>Electoral College</td>
<td>4 years, limited to two terms up to 10 years</td>
<td>The whole nation</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(5 pts)</td>
</tr>
<tr>
<td><strong>Congress</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3) House of Representatives</td>
<td>People by District)</td>
<td>2 years</td>
<td>Part of a state</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Based on population</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(5 pts)</td>
</tr>
<tr>
<td>4) Senate</td>
<td>State Legislatures (directly elected since 1913)</td>
<td>6 years</td>
<td>The whole state, one per state regardless of the population</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(5 pts)</td>
</tr>
<tr>
<td><strong>Judges</strong></td>
<td>President Appoints Senate Approves</td>
<td>Life</td>
<td>National system</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(5 pts)</td>
</tr>
</tbody>
</table>
### STRUCTURAL CHECKS AND BALANCES

<table>
<thead>
<tr>
<th>President on Congress</th>
</tr>
</thead>
<tbody>
<tr>
<td>President may veto bills, recommend legislation, call a special session, go directly to the people</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>President on the Courts</th>
</tr>
</thead>
<tbody>
<tr>
<td>President appoints judges</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Congress on the President</th>
</tr>
</thead>
<tbody>
<tr>
<td>Makes laws, creates agencies, appropriates funds, may override the veto with a 2/3rd majority, may impeach, Senate approves treaties and appointments, can initiate the amendment process</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Congress on the Courts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Creates lower courts, may impeach judges, Senate approves appointments of judges</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Courts on the President</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judges are appointed for life, can declare executive actions unconstitutional</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Courts on the Congresss</th>
</tr>
</thead>
<tbody>
<tr>
<td>Courts can declare Congressional laws unconstitutional</td>
</tr>
</tbody>
</table>
Lesson 4

Economic and Social Status of Federalists and Anti-Federalists

**Interpreting Statistics**

Politics and Society in Post-Revolutionary America

### Composition of State Assemblies in the 1780s

<table>
<thead>
<tr>
<th>State</th>
<th>Farmers</th>
<th>Large Landowners</th>
<th>Artisan</th>
<th>Professional</th>
<th>Merchant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Massachusetts</td>
<td>47</td>
<td>1</td>
<td>12</td>
<td>13</td>
<td>20</td>
</tr>
<tr>
<td>New York</td>
<td>37</td>
<td>8</td>
<td>10</td>
<td>18</td>
<td>19</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>37</td>
<td>2</td>
<td>22</td>
<td>15</td>
<td>20</td>
</tr>
<tr>
<td>South Carolina</td>
<td>14</td>
<td>32</td>
<td>3</td>
<td>15</td>
<td>13</td>
</tr>
<tr>
<td>Virginia</td>
<td>20</td>
<td>36</td>
<td>3</td>
<td>21</td>
<td>10</td>
</tr>
</tbody>
</table>

**Questions To Think About**

1. Which occupational groups were most highly represented in the new state legislatures?
2. What differences can you identify between the occupational make-up of the various state legislatures?

### Changes in Wealth of Elected Officials

<table>
<thead>
<tr>
<th></th>
<th>Over 5,000 pounds sterling</th>
<th>2,000-5,000 pounds sterling</th>
<th>Under 2,000 pounds sterling</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1765-75</td>
<td>36 %</td>
<td>47 %</td>
<td>17 %</td>
</tr>
<tr>
<td>1783-90</td>
<td>12 %</td>
<td>26 %</td>
<td>62 %</td>
</tr>
<tr>
<td>South</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1765-75</td>
<td>52 %</td>
<td>36 %</td>
<td>12 %</td>
</tr>
<tr>
<td>1783-90</td>
<td>28 %</td>
<td>42 %</td>
<td>30 %</td>
</tr>
</tbody>
</table>

**Questions To Think About**

1. What changes took place in the wealth of elected officials over time?
2. In what respects did the wealth of elected officials in the North and South differ?

Differences between Federalists and Antifederalists

<table>
<thead>
<tr>
<th>Political Alignments of State Senators by Wealth</th>
<th>Federalist</th>
<th>Antifederalist</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wealthy</td>
<td>82 %</td>
<td>18 %</td>
</tr>
<tr>
<td>Well-to-do</td>
<td>65 %</td>
<td>35 %</td>
</tr>
<tr>
<td>Moderate means</td>
<td>42 %</td>
<td>58 %</td>
</tr>
</tbody>
</table>

Questions To Think About

1. Were state senators who supported the Constitution wealthier or poorer than opponents of the Constitution?

2. What conclusion might you draw about support for and opposition to the Constitution?

<table>
<thead>
<tr>
<th>Votes of Delegates to Connecticut, Pennsylvania, and New Hampshire Ratifying Conventions, by Occupation</th>
<th>Federalist</th>
<th>Antifederalist</th>
</tr>
</thead>
<tbody>
<tr>
<td>Merchants, manufacturers, doctors, lawyers, ministers, large landholders</td>
<td>84 %</td>
<td>16 %</td>
</tr>
<tr>
<td>Artisans, innkeepers, surveyors</td>
<td>64 %</td>
<td>36 %</td>
</tr>
<tr>
<td>Farmers</td>
<td>46 %</td>
<td>54 %</td>
</tr>
</tbody>
</table>

Questions To Think About

1. Which occupational groups were most likely to support ratification of the Constitution?

(http://www.gilderlehrman.org/teachers/module2/mod_tools.html)

Rubrics

Composition of State Assemblies

1. Which occupational groups were most highly represented in the new state legislatures?
In Massachusetts, New York, and Pennsylvania farmers were most highly represented. In South Carolina and Virginia, large landowners were most highly represented. (4 points)

2. What differences can you identify between the occupational make-up of the various state legislatures?

The Northern states had a larger mercantile and artisan group. (2 pts)

Changes in Wealth of Elected Officials

1. What changes took place in the wealth of elected officials over time?

In the wealthier categories, there was a decline in wealth in both the North and South, but wealth increases for those in the category under 2000 pounds. (2 pts)

2. In what respects did the wealth of elected officials in the North and South differ?

In the category, 2000 – 5000 pounds, wealth increased.

Political Alignments of State Senators by Wealth

1. Were state senators who supported the Constitution wealthier or poorer than opponents of the Constitution?

State Senators who were wealthier supported the Constitution. (2pts)

2. What conclusion might you draw about support for and opposition to the Constitution?

Wealthier elected officials supported the new Constitution. (2 pts)

Votes of Delegates to Connecticut, Pennsylvania, and New Hampshire Ratifying Conventions, by Occupation

1. Which occupational groups were most likely to support ratification of the Constitution?

Merchants, manufacturers, doctors, lawyers, ministers, large landowners. (2pts)

(Adapted from Gilder Lehrman web site)
“Are We To Be a Nation?”

Name: ______________________________________

1. What was the new definition for greatness that Washington gave us? (5:13)
2. Describe what happened to the American “losers” of the Revolutionary War? (11:50)
3. Explain what happens when monarchy is replaced by citizenship? (12:20)
4. What did Abigail Adams observe about the British court? (14:00)
5. Briefly describe Alexander Hamilton. (16:00)
6. How did artists and others help to create a sense of nation? (17:00)
7. What was the most significant challenge to this generation of leaders? (27:50)
8. Explain the one significant difference between the new constitution and the Confederation in terms of the relationship between government and individuals? (31:50)
9. How do you protect minorities from a potential “tyranny of the majority?” (32:10)
10. How does Madison use faction in an extensive republic to prevent tyranny? (33:00)
11. Who, according to Hamilton, supported and opposed the new constitution? (36:20)
12. What issues drew the Anti Federalists together? (38:00)
13. What arguments did Federalists use to counter the Anti Federalists? (40:00)
14. What were the arguments for and against a Bill of Rights? (45:00)
15. Explain Madison’s plan to protect against too much government power? (45:35)
16. Who drafted the Federal Bill of Rights? (46:00)
17. In what way do ideas make America a nation? (47:15)
18. Compare the aristocratic idea about the social order prior to the revolution to the basis for the social order after the revolution. (50:30) (50:50)
19. Why is the American revolution so remarkable? (51:40)
Anti-Federalists’ Supporters

18 October, 1787

To the citizens of the State of New York

…This government is to possess absolute and uncontrollable power, legislative, executive and judicial, with respect to every object to which it extends, for by the last clause of section 8th, article 1st, it is declared "that the Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution, in the government of the United States; or in any department or office thereof." And by the 6th article, it is declared "that this constitution, and the laws of the United States, which shall be made in pursuance thereof, and the treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the constitution, or law of any state to the contrary notwithstanding." It appears from these articles that there is no need of any intervention of the state governments, between the Congress and the people, to execute any one power vested in the general government, and that the constitution and laws of every state are nullified and declared void, so far as they are or shall be inconsistent with this constitution, or the laws made in pursuance of it, or with treaties made under the authority of the United States…

…In the business therefore of laying and collecting taxes, the idea of confederation is totally lost, and that of one entire republic is embraced. It is proper here to remark, that the authority to lay and collect taxes is the most important of any power that can be granted; it connects with it almost all other powers, or at least will in process of time draw all other after it; it is the great mean of protection, security, and defence, in a good government, and the great engine of oppression and tyranny in a bad one… No state can emit paper money -- lay any duties, or imposts, on imports, or exports, but by consent of the Congress; and then the net produce shall be for the benefit of the United States: the only mean therefore left, for any state to support its government and discharge its debts, is by direct taxation; …when the federal government begins to exercise the right of taxation in all its parts, the legislatures of the several states will find it impossible to raise monies to support their governments. Without money they cannot be supported, and they must dwindle away, and, as before observed, their powers absorbed in that of the general government.

Brutus

Patrick Henry

Congress, by the power of taxation, by that of raising an army, and by their control over the militia, have the sword in one hand, and the purse in the other. Shall we be safe without either? Congress has an unlimited power over both: they are entirely given up by us. Let him candidly tell me, where and when did freedom exist, when the sword and purse were given up from the people? Unless a miracle in human affairs interposed, no nation ever retained its liberty after the
loss of the sword and purse. Can you prove, by any argumentative deduction, that it is possible to be safe without retaining one of these? If you give them up, you are gone. **Virginia Ratifying Convention, June 9, 1788**

Additional debates from the Virginia Ratifying Convention can be found on the following websites.

http://press_pubs.uchicago.edu/founders/print_documents/al_9_1s14.html

http://www.usconstitution.net/rat_va.html

**George Mason’s Objections to This Constitution of Government, September 16, 1787**

There is no Declaration of Rights, and the Laws of the general Government being paramount to the Laws & Constitutions of the several States, the Declarations of Rights in the separate States are no Security. Nor are the People secured even in the Enjoyment of the Benefits of the common Law.

In the House of Representatives, there is not the Substance, but the Shadow only of Representation; which can never produce proper Information in the Legislature, or inspire Confidence in the People; the Laws will therefore be generally made by men little concern'd in, and unacquainted with their Effects and Consequences.

The Senate have the Power of altering all money Bills, and of originating appropriations of money, & the Sallerys of the Officers of their own Appointment, in Conjunction with the president of the United States; altho' they are not the Representatives of the People, or amenable to them.

These, with their other great Powers (viz: their Power in the Appointment of Ambassadors and all public Officers, in making Treaties, and in trying all Impeachments) their Influence upon & Connection with the supreme Executive from these Causes, their Duration of Office, and their being a constant existing Body, almost continually sitting, joined with their being one compleat Branch of the Legislature will destroy any Ballance in the Government, & enable them to accomplish what Usurpations they please upon the Rights and Liberty of the People.

The Judiciary of the United States is so constructed & extended, as to absorb and destroy the Judiciarys of the several States; thereby rendering Law as tedious intricate and expensive, & Justice as unattainable, by a great Part of the Community, as in England, and enabling the Rich to oppress & ruin the Poor.

The President of the United States has no constitutional Council (a thing unknown in any safe & regular Government) he will therefore be unsupported by proper information and Advice; and will generally be directed by Minions and Favourites. Or he will become a Tool to the Senate -- or a Council of State will grow out of the principal Officers of the great Departments; the worst & most dangerous of all Ingredients for such a Council, in a free country.

From this fatal Defect has arisen the improper Power of the Senate in the appointment of public Officers, and the alarming Dependence & Connection between that Branch of the Legislature and the supreme Executive.
Hence also sprung that unnecessary Officer, the Vice-President; who for want of other Employment, is made President of the Senate; thereby dangerously blending the executive and legislative Powers; besides always giving to some one of the States an unnecessary and unjust pre-eminence over the others.

The President of the United States has the unrestrained Power of granting Pardons for Treason; which may be sometimes exercised to screen from punishment those whom he had secretly instigated to commit the Crime, & thereby prevent a Discovery of his own Guilt.

By declaring all Treaties supreme Laws of the Land, the Executive & the Senate have in many Cases, an exclusive Power of legislation; which might have been avoided by proper Distinctions with respect to Treaties, and requiring the Assent of the House of Representatives, where it cou'd be done, with Safety.

By requiring a Majority to make all commercial & Navigation Laws, the five Southern States (whose Produce & Circumstances are totally different from that of the eight Northern & Eastern States) may be ruined; for such rigid & premature Regulations may be made, as will enable the Merchants of the Northern & Eastern States not only to demand an exorbitant Freight, but to monopolize the Purchase of the Commodities at their own Price, for many Years; to the great Injury of the landed Interest, & Impoverishment of the People; and the Danger is the greater, as the Gain on one Side will be in Proportion to the Loss on the other. Whereas requiring two thirds of the Members present in both Houses wou'd have produced mutual moderation, promoted the general Interest, and removed an insuperable Objection to the adoption of this Government.

Under their own Construction of the general Clause, at the End of the enumerated Powers, the Congress may grant Monopolies in Trade & Commerce, constitute new Crimes, inflict unusual and severe Punishments, & extend their Powers as far as they shall think proper; so that the state Legislatures have no Security for their Powers now presumed to remain to them, or the People for their Rights.

There is no Declaration of any kind, for preserving the Liberty of the Press, or the Tryal by Jury in Civil Causes; nor against the Danger of standing Armys in time of Peace.

The State Legislatures are restrained from laying Import Duties on their own Produce.

Both the general Legislature* and the State Legislatures are expressly prohibited making ex post facto Laws: tho' there never was, nor can be a Legislature but must and will make such Laws, when Necessity & the public Safety require them; which will hereafter be a Breach of all the Constitutions in the Union, and afford precedents for other Innovations.

This Government will set out a moderate Aristocracy: it is at present impossible to foresee whether it will, in its operation, produce a Monarchy, or a corrupt tyrannical Aristocracy; it will most probably vibrate some years between the two, and then terminate in the one or the other.

*The general Legislature is restrained from prohibiting the further Importation of Slaves for twenty odd years; tho' such Importations render the United States weaker, more vulnerable, and less capable of Defence.
Amos Singletary, 1788

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.

Letter from Thomas Jefferson To James Madison Paris, Dec.20, 1787

What I do not like about the Constitution:

...There are other good things of less moment. I will now add what I do not like. First the omission of a bill of rights providing clearly & without the aid of sophisms for freedom of religion, freedom of the press, protection against standing armies, restriction against monopolies, the eternal & unremitting force of the habeas corpus laws, and trials by jury in all matters of fact triable by the laws of the land & not by the law of nations...

... It was a hard conclusion to say because there has been no uniformity among the states as to the cases triable by jury, because some have been so incautious as to abandon this mode of trial, therefore the more prudent states shall be reduced to the same level of calamity. It would have been much more just & wise to have concluded the other way that as most of the states had judiciously preserved this palladium, those who had wandered should be brought back to it, and to have established general right instead of general wrong. Let me add that a bill of rights is what the people are entitled to against every government on earth, general or particular, & what no just government should refuse, or rest on inferences.

The second feature I dislike, and greatly dislike, is the abandonment in every instance of the necessity of rotation in office, and most particularly in the case of the President. Experience concurs with reason in concluding that the first magistrate will always be re-elected if the Constitution permits it. He is then an officer for life. This once observed, it becomes of so much consequence to certain nations to have a friend or a foe at the head of our affairs that they will interfere with money & with arms. A Galloman or an Angloman will be supported by the nation he befriens. If once elected, and at a second or third election out voted by one or two votes, he will pretend false votes, foul play, hold possession of the reins of government, be supported by the States voting for him, especially if they are the central ones lying in a compact body themselves & separating their opponents: and they will be aided by one nation of Europe, while the majority are aided by another. The election of a President of America some years hence will be much more interesting to certain nations of Europe than ever the election of a king of Poland was. Reflect on all the instances in history antient & modern, of elective monarchies, and say if they do not give foundation for my fears. The Roman emperors, the popes, while they were of any importance, the German emperors till they became hereditary in practice, the kings of Poland, the Deys of the Ottoman dependances. It may be said that if elections are to be attended with these disorders, the seldomer they are renewed the better. But experience shews that the only way to prevent disorder is to render them uninteresting by frequent changes. An incapacity to be elected a second time would have been the only effectual preventative. The power of removing him every fourth year by the vote of the people is a power which will not be exercised. The king of Poland is removeable every day by the Diet, yet he is never removed.
Federalists’ Supporters

Energy in the Executive, # 70 (Hamilton) (Federalists Papers)

Energy in the Executive is a leading character in the definition of good government. It is essential to the protection of the community against foreign attacks; it is not less essential to the steady administration of the laws; to the protection of property against those irregular and high-handed combinations which sometimes interrupt the ordinary course of justice; to the security of liberty against the enterprises and assaults of ambition, of faction, and of anarchy…

A feeble Executive implies a feeble execution of the government. A feeble execution is but another phrase for a bad execution; and a government ill executed, whatever it may be in theory, must be, in practice, a bad government…

The ingredients which constitute energy in the Executive are, first, unity; secondly, duration; thirdly, an adequate provision for its support; fourthly, competent powers.

The ingredients which constitute safety in the republican sense are, first, a due dependence on the people, secondly, a due responsibility.

Those politicians and statesmen who have been the most celebrated for the soundness of their principles and for the justice of their views, have declared in favor of a single Executive and a numerous legislature. They have with great propriety, considered energy as the most necessary qualification of the former, and have regarded this as most applicable to power in a single hand, while they have, with equal propriety, considered the latter as best adapted to deliberation and wisdom, and best calculated to conciliate the confidence of the people and to secure their privileges and interests.

That unity is conducive to energy will not be disputed. Decision, activity, secrecy, and despatch will generally characterize the proceedings of one man in a much more eminent degree than the proceedings of any greater number; and in proportion as the number is increased, these qualities will be diminished.

This unity may be destroyed in two ways: either by vesting the power in two or more magistrates of equal dignity and authority; or by vesting it ostensibly in one man, subject, in whole or in part, to the control and co-operation of others, in the capacity of counsellors to him…
The experience of other nations will afford little instruction on this head. As far, however, as it teaches any thing, it teaches us not to be enamoured of plurality in the Executive. We have seen that the Achaeans, on an experiment of two Praetors, were induced to abolish one. The Roman history records many instances of mischiefs to the republic from the dissensions between the Consuls, and between the military Tribunes, who were at times substituted for the Consuls…

But quitting the dim light of historical research, attaching ourselves purely to the dictates of reason and good sense, we shall discover much greater cause to reject than to approve the idea of plurality in the Executive, under any modification whatever.

Wherever two or more persons are engaged in any common enterprise or pursuit, there is always danger of difference of opinion. If it be a public trust or office, in which they are clothed with equal dignity and authority, there is peculiar danger of personal emulation and even animosity. From either, and especially from all these causes, the most bitter dissensions are apt to spring. Whenever these happen, they lessen the respectability, weaken the authority, and distract the plans and operation of those whom they divide. If they should unfortunately assail the supreme executive magistracy of a country, consisting of a plurality of persons, they might impede or frustrate the most important measures of the government, in the most critical emergencies of the state. And what is still worse, they might split the community into the most violent and irreconcilable factions, adhering differently to the different individuals who composed the magistracy.

It is evident from these considerations, that the plurality of the Executive tends to deprive the people of the two greatest securities they can have for the faithful exercise of any delegated power, first, the restraints of public opinion, which lose their efficacy, as well on account of the division of the censure attendant on bad measures among a number, as on account of the uncertainty on whom it ought to fall; and, secondly, the opportunity of discovering with facility and clearness the misconduct of the persons they trust, in order either to their removal from office or to their actual punishment in cases which admit of it.

**Federalist # 51 (Federalist Papers)**

On a Just Partition of Power (Hamilton or Madison)

To what expedient, then shall we finally resort, for maintaining in practice the necessary partition of power among the several departments, as laid down in the Constitution? The only answer that can be given is, that as all these exterior provisions are found to be inadequate, the defect must be supplied, by so contriving the interior structure of the government as that its several constituent parts may, by their mutual relations, be the means of keeping each other in their proper places…
But the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. The provision for defence must in this, as in all other cases be made commensurate to the danger of attack. Ambition must be made to counteract ambition...It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is not doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions...

But it is not possible to give to each department an equal power of self-defence. In republican government, the legislative authority necessarily predominates. The remedy for this inconveniency is to divide the legislature into different branches; and to render them, by different modes of election and different principles of action, as little connected with each other as the nature of their common functions and their common dependence on the society will admit….As the weight of the legislative authority requires it should be thus divided, the, the weakness of the executive may require, on the other hand, that it should be fortified. An absolute negative on the legislature appears, at first view, to be the natural defence with which the executive magistrate should be armoured...

In the compound republic of America, the power surrendered yet the people is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other, at the same time that each will be controlled by itself.

**Letter from Thomas Jefferson To James Madison Paris, Dec.20, 1787**

What he likes about the Constitution:

…The season admitting only of operations in the Cabinet, and these being in a great measure secret , I have little to fill a letter. I will therefore make up the deficiency by adding a few words on the Constitution proposed by our Convention. I like much the general idea of framing a government which should go on of itself peaceably, without needing continual recurrence to the state legislatures. I like the organization of the government into Legislative, Judiciary & Executive. I like the power given the Legislature to levy taxes, and for that reason solely approve of the greater house being chosen by the people directly. For tho' I think a house chosen by them
will be very illy qualified to legislate for the Union, for foreign nations &c. yet this evil does not weigh against the good of preserving inviolate the fundamental principle that the people are not to be taxed but by representatives chosen immediately by themselves. I am captivated by the compromise of the opposite claims of the great & little states, of the latter to equal, and the former to proportional influence. I am much pleased too with the substitution of the method of voting by persons, instead of that of voting by states: and I like the negative given to the Executive with a third of either house, though I should have liked it better had the Judiciary been associated for that purpose, or invested with a similar and separate power.
SLAVERY UNDER THE CONSTITUTION

U.S. Constitution (1787)


- Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.


- Section. 9. The Migration of Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

Art. IV, §2.

No person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.


Alexander Hamilton

"no union could have possibly been formed" without the federal ratio. (3/5th compromise)
Parliamentary Procedure... *At a Glance*

Here are some motions you might make, how to make them, and what to expect of the rules.

<table>
<thead>
<tr>
<th>To Do This...</th>
<th>You Say This...</th>
<th>May You Interrupt the Speaker?</th>
<th>Do You Need a Second?</th>
<th>Is it Debatable?</th>
<th>Can it be Amended?</th>
<th>What Vote is Needed?</th>
<th>Can it be Reconsidered</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADJOURN MEETING</td>
<td>&quot;I move that we adjourn.&quot;</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Majority</td>
<td>No</td>
</tr>
<tr>
<td>CALL AN INTERMISSION</td>
<td>&quot;I move that we recess for...&quot;</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Majority</td>
<td>No</td>
</tr>
<tr>
<td>COMPLAIN ABOUT NOISE, HEAT, ETC.</td>
<td>&quot;I rise to a question of privilege...&quot;</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No vote</td>
<td>No (usually)</td>
</tr>
<tr>
<td>TEMPORARILY SUSPEND CONSIDERATION OF AN ISSUE</td>
<td>&quot;I move to table the motion.&quot;</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Majority</td>
<td>No</td>
</tr>
<tr>
<td>END DEBATE AND AMENDMENTS</td>
<td>&quot;I move the previous question.&quot;</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>2/3</td>
<td>No *1</td>
</tr>
<tr>
<td>POSTPONE DISCUSSION FOR A CERTAIN TIME</td>
<td>&quot;I move to postpone the discussion until...&quot;</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority</td>
<td>Yes</td>
</tr>
<tr>
<td>GIVE CLOSER STUDY OF SOMETHING</td>
<td>&quot;I move to refer the matter to committee.&quot;</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority</td>
<td>Yes *2</td>
</tr>
<tr>
<td>AMEND A MOTION</td>
<td>&quot;I move to amend the motion by...&quot;</td>
<td>No</td>
<td>Yes</td>
<td>Yes *3</td>
<td>Yes</td>
<td>Majority</td>
<td>Yes</td>
</tr>
<tr>
<td>INTRODUCE BUSINESS</td>
<td>&quot;I move that...&quot;</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority</td>
<td>Yes</td>
</tr>
</tbody>
</table>
The motions listed above are in order of precedence...In the table below, there is no order...

<table>
<thead>
<tr>
<th>PROTEST BREACH OF RULES OR CONDUCT</th>
<th>&quot;I rise to a point of order.&quot;</th>
<th>Yes</th>
<th>No</th>
<th>No</th>
<th>No</th>
<th>No Vote *4</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>VOTE ON A RULING OF THE CHAIR</td>
<td>&quot;I appeal from the chair's decision.&quot;</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Majority *5</td>
<td>Yes</td>
</tr>
<tr>
<td>SUSPEND RULES TEMPORARILY</td>
<td>&quot;I move to suspend the rules so that...&quot;</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>2/3</td>
<td>No</td>
</tr>
<tr>
<td>AVOID CONSIDERING AN IMPROPER MATTER</td>
<td>&quot;I object to consideration of this motion.&quot;</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>2/3</td>
<td>- *7</td>
</tr>
<tr>
<td>VERIFY A VOICE VOTE BY HAVING MEMBERS STAND</td>
<td>&quot;I call for a division&quot; or &quot;Division!&quot;</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No Vote</td>
<td>No</td>
</tr>
<tr>
<td>REQUEST INFORMATION</td>
<td>&quot;Point of information.&quot;</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No Vote</td>
<td>No</td>
</tr>
<tr>
<td>TAKE UP A MATTER PREVIOUSLY TABLED</td>
<td>&quot;I move to take from the table...&quot;</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Majority</td>
<td>No</td>
</tr>
<tr>
<td>RECONSIDER A HASTY ACTION</td>
<td>&quot;I move to reconsider the vote on...&quot;</td>
<td>Yes</td>
<td>Yes</td>
<td>- *8</td>
<td>No</td>
<td>Majority</td>
<td>No</td>
</tr>
</tbody>
</table>

Notes:

*1 = Unless vote on question is not yet taken
*2 = Unless the committee has already taken up the subject
*3 = Only if the motion to be amended is
*4 = A majority vote in negative needed to revert ruling of chair
*5 = A 2/3 vote in negative needed to prevent consideration of main motion.
*6 = Only if the main question or motion was
Debatable
*4 = Except in doubtful cases.

not, in fact, considered
*8 = Only if motion to be reconsidered is debatable.

Debate Rubric

<table>
<thead>
<tr>
<th>Criteria</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student prepared for the debate as indicated by notes and works with</td>
<td>The students did not have notes and</td>
<td>The student had few notes and was inadequately</td>
<td>The students had some notes and was prepared</td>
<td>The student was very prepared with extensive</td>
<td></td>
</tr>
<tr>
<td>his/her group</td>
<td>did not cooperate with group members</td>
<td>prepared. Attempted to use one primary source to support arguments.</td>
<td>and made clear arguments for his/her position using two concrete examples of primary sources.</td>
<td>notes and made convincing arguments for his/her position using three concrete examples of primary sources as part of arguments.</td>
<td></td>
</tr>
<tr>
<td>Organization</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ideas a logically expressed in a orderly manner</td>
<td>The student was disorganized and confused</td>
<td>The student was somewhat organized but unclear in his/her arguments</td>
<td>The student was organized and clearly stated his/her position</td>
<td>The student was very organized and spoke with clarity</td>
<td>The student demonstrated excellent organization and clearly presented his/her arguments</td>
</tr>
<tr>
<td>Arguments</td>
<td>The student did not present a coherent argument or marshal supporting reasons</td>
<td>The student presented some arguments and some examples</td>
<td>The student presented arguments with examples</td>
<td>The student presented strong arguments and marshaled supporting evidence</td>
<td>The students presented excellent arguments supported by strong evidence</td>
</tr>
</tbody>
</table>