**Debate over the Ratification of the Constitution**

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

sovereignty

**Rationale/ Purpose:** To understand the arguments for and against ratification of the Constitution and the distinctions

between the opposing sides.

**Key Concept(s) include definition:**

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

**Essential Knowledge**

* The student will demonstrate knowledge of the Constitution of the United States of America by examining the ratification debates and The Federalist.
* The student will demonstrate knowledge of the Constitution of the United States of America by examining the fundamental principles upon which the Constitution is based, including the rule of law, consent of the governed, limited government, separation of powers, and federalism.
* The student will demonstrate knowledge of the federal system described in the Constitution of the United States of America by explaining the relationship of the state governments to the national government;

**Guiding Question(s):**

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

**Lesson Objectives:**

Students will be able to:

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

**Federalists (Supporters of the Constitution)**

**Background Information:**

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

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

**Quotes:**

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

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

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

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

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

**- James Madison, The Federalist, No. 10**

**Preparation for Ratification Debate**

Federalist/Antifederalist (circle one)

List people mentioned in the proceedings favorable to your cause

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

1.

2.

3.

4.

others?

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

Compile a list of tough questions for the opposing side.

**Anti-Federalists (Opponents of the Constitution)**

**Background Information:**

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

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

**Quotes:**

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

**- Brutus, 1787**

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

**- Brutus, 1787**

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

**- Brutus, 1787**

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

**- Patrick Henry, 1787**

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

**- Patrick Henry, 1787**

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