Lesson Plan: "We, the People v. We, the States": The Virginia Ratifying Convention

Primary Sources:

Speeches from the Virginia Ratification Convention, 1788

Understanding Goal:

Great minds don't always agree.

Investigative Question:

During the Virginia ratifying convention, what were the arguments for and against the new constitution?

Standards Addressed:

Virginia Standards of Learning:

USI.7 The student will demonstrate knowledge of the challenges faced by the new nation by
(a) identifying the weaknesses of the government established by the Articles of Confederation;
(b) describing the historical development of the Constitution of the United States.

CE.6 The student will demonstrate knowledge of the American constitutional government at the national level by
a) describing the structure and powers of the national government;
b) explaining the principle of separation of powers and the operation of checks and balances;
c) explaining and/or simulating the lawmaking process;
d) describing the roles and powers of the executive branch.

VUS.1 The student will demonstrate skills for historical and geographical analysis and responsible citizenship, including the ability to
(h) interpret the significance of excerpts from famous speeches and other documents.

VUS.5 The student will demonstrate knowledge of the issues involved in the creation and ratification of the Constitution of the United States and how the principles of limited government, the consent of the governed, and the social contract are embodied in it by
a) explaining the origins of the Constitution, including the Articles of Confederation;
b) identifying the major compromises necessary to produce the Constitution, and the roles of James Madison;
d) assessing the arguments of Federalists and Anti-Federalists during the ratification debates and their relevance to political debate today;

National History Standards

3A (Grades 9–12) Compare the arguments of Federalists and Anti-Federalists during the ratification debates and assess their relevance in late-20th-century politics.

Overview:

The "We the People or We the States" Script will allow students to examine the issues and arguments involved in the Virginia ratification debates in the words of the men who participated in the event. It lets the students hear from familiar historical actors such as Patrick Henry, James Madison, James Monroe, and John Marshall, in their own words, while also

introducing an array of other significant Virginia leaders and thinkers, such as George Mason and Edmund Randolph, who also made significant contributions to Virginia and the nation.

Length of Activity:
2 class periods

Materials Needed (available from the *Shaping the Constitution* Web site):

Pre-Activity Exploration:

- Biographies of Convention Participants
- George Mason's Objections to the Constitution, September 1787
- George Mason to George Washington, October 7, 1787
- James Madison to George Washington, October 18, 1787

(Copies for all)

- *"We, the People v. We, the State": The Virginia Ratifying Convention* Debate Script (versions available for use with 5th through 8th grade students, or for use with 9th through 12th grade students)
- "Virginia, to Wit" (Broadside)
- "Poughkeepsie, July 2, 1788" (Broadside)

Background:

Virginians played a key role in shaping the ideologies and language that became a part of our nation's founding documents, particularly in the Declaration of Independence and the United States Constitution. All the members of Virginia's leadership, however, did not agree on the form of the new government. Sharp divisions among key Virginia delegates arose during and after the Constitutional Convention in 1787. Some, like James Madison and George Washington, led the charge for increased central authority. Others, like Patrick Henry, believed that the convention had overstepped its original intention of simply revising the Articles of Confederations. Still others, like George Mason, objected to the absence of a bill of rights, as well as other structural issues in the new plan of government.

These ideological conflicts laid the groundwork for an intense debate back in Virginia, where the adoption of the draft constitution would be debated and either approved or rejected. Virginia's stature, along with New York, as one of the largest states in the nation made the voting there critical to the success not only of ratification but also of the future of the union between the 13 former British colonies.

Teacher Actions:

1. Review with students the timeline of events leading up to the Virginia ratifying convention, from the conclusion of the Constitutional Convention in September 1787 to June 1788.
2. Pre-activity document analysis *(optional)*: Have students read and discuss the correspondence between Mason, Madison, and Washington in the weeks after the conclusion of the Constitutional Convention. What were Mason's objections? How did he communicate them to Washington, and why? What was Madison's reaction to Mason's charges? (This activity can be used as a stand-alone lesson. See full "Shaping the Constitution" lesson plan on Mason's Objections.)
3. Researching the participants. Use the biographical sketches provided on the "Shaping the Constitution" Web site to have students learn about the delegates featured in the "We the

People" script. What were their backgrounds? Into which camps, Federalists or Anti-Federalists, did they fall?

4. Assign roles. There are a total of 18 possible roles in the play, allowing for students with varying ranges of ability to be able to participate in the action. Henry, Madison, Pendleton, and Nicholas have the longest and most dramatic parts in the script. These roles should be assigned to students who have the most motivation. On the opposite end of the spectrum, the narrators and criers, who can simply distribute printed material at the beginning and end of the play, are much shorter and less involved. For the best results, the teacher should make role assignments closely match the content and student's abilities.
5. Pre-reading. After assigning roles, have students skim the play to identify their lines and review them. Point out that the script is an excerpt of the full debate, which took three weeks and produced several hundred pages of text. Students can review vocabulary words by using the vocabulary key provided as a part of this lesson to define and understand words in the script with which they may not be familiar. The teacher should point out that the meaning and use of some words have changed over time, and that students should be mindful of that as they read the script. The teacher should lead a discussion of the flow of the play, including what is being debated in the different acts, the arguments being made by the characters, and the particular characteristics of the speakers and how they interact with other speakers. If the students have any questions about their lines or any words that are in their section, now is the time to address them. Students should also read the broadsides that will be distributed by the criers at the beginning and end of the play.
6. And Action!
    a. Option 1: Conduct a "performance" of the script in class. This can range from a simple read-though with students sitting at their desks, to a stand-up reading that follows the stage directions. Props such as a name tags, a gavel, powdered wigs, and hats, can be used to bring the characters and the situation to life. At a good pace, the reading/performance should take 60 minutes. *Note to Teachers*: Adam Stephen's speech addresses a racially sensitive issue as it relates to Native Americans. Please be aware, and use the opportunity to discuss the change in perceptions from the Founding Era to today.
    b. Option 2: Assign role analysis as homework. If you don't have time during your class period to allow student to reenact the debate, have them take the script home and analyze it as homework.
        i. Analyze the major actors and their arguments—provide a written overview of one or two of the major issued raised by their assigned character. This should not only include the basis of their argument, but also how they were rebutted in the play. They should note as well whether their character ultimately voted for or against ratification.
        ii. Have student review the script and answer the analysis questions listed at the end of this lesson.
7. Evaluation: Have student write brief essays describing their experiences with the "Meet the Past" debate, by addressing the concerns raised, the responses that addressed them, and their thoughts about the success of the U.S. Constitution since its implementation.

Characters and Number of Speaking Parts

Edmund Pendleton (6)	James Madison (8)	William Grayson (3)
Patrick Henry (11)	George Nicholas (6)	Adam Stephen (1)
Edmund Randolph (4)	James Monroe (3)	George Wythe (2)
George Mason (6)	John Marshall (3)	Crier(s) (2)

Analysis Questions:

Act I:

1. Who could be considered a Federalist? An Anti-Federalist? Who led each faction?
2. On what basis did Patrick Henry question the use of the phase "We, the People"? What troubled him about its implications? Who made a counterargument against Henry's position? What was the nature of the counterargument?
3. To what did Edmund Randolph attribute his change of heart regarding the Constitution?
4. What, in George Mason's argument, made a stronger central government most threatening and potentially damaging? Why did he have this belief? Who rebutted him and how?
5. Outline the potential threats, as well as the potential strengths, of a stronger central government as presented in Act 1.
6. Why were George Mason and the Anti-Federalists so adamant about a bill of rights? What was the argument against a bill of rights?

Act II:

1. What reservations did George Mason articulate about the executive branch of government?
2. What arguments did Madison and Marshall make in defense of the judiciary branch?
3. What arguments about slavery were presented by Mason and Henry?
4. Who do you think was the most convincing speaker and why?
5. What does Adam Stephen's statement about "Indians" reveal about the attitudes toward Native Americans during this period in American history?

Virginia Ratification Speeches Vocabulary—Middle School Version

Abominable-
Undesirable; hateful; detestable; loathsome.

Anti-Federalists-
Those who opposed the ratification of the Constitution.

Compact-
An agreement between two or more parties or states; a contract

Confederation-
A group of confederates, esp. of states permanently united for common purposes.
The 13 original U.S. states operated as a confederation under the Articles of Confederation, 1781–1789.

Constituent-
A person who allows another to act in his or her behalf, as a voter in a district represented by an elected official.

Detestation-
Abhorrence; hatred.

Dissolution-
The undoing or breaking of a bond, tie, union, partnership, etc.

Federalists-
Supporters of the ratification of the Constitution who worked for its approval or ratification. Called Federalists because of the Constitution's increase to central, or federal, authority.

Infringement-
A violation of a law, right, or obligation; violation; transgression.

Jurisdiction-
The right, power, or authority to enforce justice by hearing and deciding on cases and controversies.

Manumission-
The act of freeing from bondage, especially an enslaved person.

Preamble-
An introductory statement; preface; introduction.
The introductory statement of the U.S. Constitution, announces the general principles of American government and beginning with the words, "We the people of the United States, in order to form a more perfect union …"

Provision-

Part of a legal agreement or law; a stipulation or proviso.

Ratify-

To approve or confirm.

Sovereignty-

The quality or state of being sovereign (self-governing; independent).

Tranquility-

Quality or state of being tranquil; calmness; peacefulness; quiet; serenity.

Virginia Ratification Speeches Vocabulary—High School Version

Abominable-
Repugnantly hateful; detestable; loathsome.

Accede-
To give consent, approval, or adherence; agree; assent.

Agency-
A means of exerting power or influence; instrumentality.

Annihilate-
To reduce to utter ruin or nonexistence; destroy utterly.

Anti-Federalists-
Members or supporters of the Anti-Federalist Party, which opposed the ratification of the Constitution.

Compact-
A formal agreement between two or more parties, states, etc.; contract

Confederation-
A group of confederates, esp. of states more or less permanently united for common purposes.
The union of the 13 original U.S. states under the Articles of Confederation, 1781–1789.

Constituent-
A person who authorizes another to act in his or her behalf, as a voter in a district represented by an elected official.

Detestation-
Abhorrence; hatred.

Dissent-
To differ in sentiment or opinion, esp. from the majority; withhold assent; disagree.

Dissolution-
The undoing or breaking of a bond, tie, union, partnership, etc.

Emancipation-
The act of freeing (a slave) from bondage.

Encroachment-
The act of advancing beyond proper, established, or usual limits; making gradual inroads.

Extravagant-
Exceeding the bounds of reason, as actions, demands, opinions, or passions.

Federalists-
Members or supporters of the Federalist Party, which supported the ratification of the Constitution.

Infringement-
A breach or infraction, as of a law, right, or obligation; violation; transgression.

Impartial-
Not partial or biased; fair; just.

Jurisdiction-
The right, power, or authority to administer justice by hearing and determining controversies.

Manumission-
The act of freeing (a slave) from bondage.

Perpetually-
Continuing or enduring forever; everlasting.

Preamble-
An introductory statement; preface; introduction.
The introductory statement of the U.S. Constitution, setting forth the general principles of American government and beginning with the words, "We the people of the United States, in order to form a more perfect union …"

Procure-
To obtain or get by care, effort, or the use of special means.

Propriety-
Conformity to established standards of good or proper behavior or manners.

Provision-
A clause in a legal instrument, a law, etc., providing for a particular matter; stipulation; proviso.

Ratify-
To approve and give formal sanction to; confirm.

Relinquish-
To renounce or surrender (a possession, right, etc.).

Schism-

Division or disunion, especially into mutually opposed parties.

Shun-

To keep away from (a place, person, object, etc.), from motives of dislike, caution, etc.; take pains to avoid.

Sovereignty-

The quality or state of being sovereign (self-governing; independent).

Tranquility-

Quality or state of being tranquil; calmness; peacefulness; quiet; serenity.

Unalienable-

Not to be separated, given away, or taken away; inalienable.