Lesson Plan: Meet the Past – Debating Ratification in Virginia

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 "Meet the Past: Virginia Ratification Debates" 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 allows the students to hear from familiar historical actors such as Patrick Henry and James Madison, in their own words, while also introducing an array of other

important Virginia leaders and thinkers, such as George Mason and Edmund Randolph, who also made significant contributions to Virginia and the nation.

Length of Activity:

1.5 – 2 class periods

Materials Needed:

Pre-Activity Exploration:

- Biographies of Convention Participants from the "Shaping the Constitution" Web site
- 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)

- Talking Points for Patrick Henry, George Mason, James Madison, and Edmund Randolph (distributed to groups assigned to represent each man's perspective)
- "Meet the Past: Virginia Ratification Debates" Narrator/Debate Leader Questions
- "Excerpts from Virginia Ratifying Convention" from the "Shaping the Constitution" Web site

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 U.S. Constitution. However, the members of Virginia's leadership 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. Some, like Patrick Henry, believed that the convention had overstepped its original intention of simply revising the Articles of Confederation. Others, like George Mason, objected to the absence of a bill of rights, as well as other structural issues within 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 thirteen 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 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. Divide students into four groups, one for each of the viewpoints represented (1-Henry, 2-Mason, 3-Madison, 4-Randolph).
4. Students should review the biographies of their representatives from the "Shaping the Constitution" Web site. What were their backgrounds? Into which camp, Federalists or Anti-Federalists, did each fall?
5. Distribute to each group copies of the talking points for their delegate. Have students read and discuss the list. For additional reading, have them identify and review the arguments made by their delegate using "Excerpts from the Virginia Ratifying Debates: BY SPEAKER" (steps # 3–5 may be given as homework).
6. Once the students are prepared, the teacher (or one of the students) will moderate the classroom debate over the merits of the new Constitution using the questions included as a part of this lesson. Suggest to the students that they appoint a spokesperson for the group who can discuss his or her responses with the other team members before responding, OR that they take turns addressing the moderator's questions. The best responses will be the ones that most closely reflect the original ideas and comments made by the 1788 delegates as well as incorporating the students' prior knowledge of the background leading up to the debates, specifically the problems with the American government under the Articles of Confederation. Allot 25–30 minutes for the discussion.
7. At the conclusion of the debate, ask students to reflect on the activity. Whose arguments did they find most persuasive? What did comments by Henry and Mason reveal about their fears for this new form of government? How successful were Madison and Randolph in addressing these fears and concerns? Knowing what we now know about the ratification of the Constitution and the addition of later amendments, which of the concerns were justified? Which of the issues raised by these delegates are still being debated in the United States today?
8. Evaluation: Have students write brief essays describing their experiences with the "Meet the Past" debate addressing the concerns raised, the responses that addressed them, and their thoughts about the success of the U.S. Constitution since its implementation.

Patrick Henry Talking Points: (Anti-Federalist)

- The delegates at the Philadelphia convention exceeded their authority in the creation of a completely new system of government, creating a federalist state rather than a democracy or a republic.
- The Constitution that the delegates created departs too far from the Articles of Confederation.
- The Preamble indicates that the new government is authorized by “We the People,” instead of “We the States.”
- The rights of the people are not protected from government authorities by a bill of rights.
- The Constitution provides for a standing army and unlimited power of taxation by the national government.
- The people of Virginia are unable to change their form of government; they are tied to the decisions made by the majority of citizens of the United States, not to their own wishes.
- Representation in Congress as it is specified in the Constitution is not satisfactory.
- The amendment process detailed in the Constitution is faulty; a majority of two-thirds in Congress to propose amendments and the approval of three-quarters of the states is too demanding.
- “There is no true responsibility—and that the preservation of our liberty depends on the single chance of men being virtuous enough to make laws to punish themselves.”
- The president has too much power, and could easily make himself king. Thus, there is "the probability of the President's enslaving America."

Edmund Randolph Talking Points: (Federalist)

- The Constitution secures the principles we fought for in the Revolutionary War.
- The perceived dangers to individual liberty under the Articles of Confederation are not false.
- The Constitution is designed with the proper tools to actually invigorate commerce.
- Voting against ratification will lead to the dissolution of the Union, and “a national government is absolutely indispensable.”… "If the Union be now lost, I fear it will be so for ever."
- The Articles of Confederation are inadequate to "make us happy or respectable" and they are beyond mere correction; a completely new system of government is needed.
- Under the Constitution, Virginia will be more safe and secure.
- The Constitution will legitimize the United States in the global community: "I wish my country not to be contemptible in the eyes of foreign nations."
- A republican form of government is practicable in “an extensive territory” such as the United States.

George Mason Talking Points: (Anti-Federalist)

- Giving the legislative branch the power to tax signifies that this will be a national government, and no longer a Confederation.
- The Constitution allows for too few representatives to adequately represent all of the people of the United States.
- No single government can exist in so large, extensive, and diverse a country as the United States.
- A bill of rights is needed to "secure the dearest rights of our people."
- The slave importation protected and endorsed by the Constitution is both "evil" and "nefarious," however, there is no clause to protect the slave property of those in the southern states.
- Governor Randolph used to share similar concerns. I know not what happened, if anything, to change his mind.
- Amendments are needed to note clearly that the powers not granted to the national government are retained by the state governments.
- Without a bill of rights, "implication might swallow up all of our rights."

James Madison Talking Points: (Federalist):

- The Constitution ought to be judged on its merits alone, and on whether or not it will promote the public happiness.
- We should therefore avoid: "general assertions of danger, without examinations."
- Contrary to Patrick Henry's statement, all Americans are not living in "perfect tranquility and safety." If this were the case, why was there a call to amend the Articles of Confederation, and why were delegates present from every state?
- There is no danger concerning the militia. The authority of training and appointing officers is reserved to the states. The only interference by the national government comes in cases of execution of the laws, suppressing insurrections, and repelling invasions.
- There is no danger of the national government absorbing the state governments, for it is through the state governments that the national government derives its authority…through the people.
- It is not advantageous for Virginia to exist outside of the Union with the other states.
- The nature of this government is unlike any before it. It is essentially a mixed-nature government, partially federal, partially consolidated.
- The power of taxation is necessary for the national government and would wisely be used only for "great purposes." This will not be a tool of oppression. This power is necessary for the preservation of the Union.
- Henry's complaints about the amendment and ratification process are faulty. He argues against the high number needed to make changes to the Constitution, but he defended the Articles of Confederation where amendments must be agreed to unanimously.

Meet the Past – Debating Ratification in Virginia
Debate Questions

Moderator:

Welcome to "Meet the Past." Our guests today are preparing to head into the convention to debate the ratification of the newly developed Constitution.

Seated to my left are James Madison and Edmund Randolph, supporters of the new Constitution to strengthen the federal government, thus they have been christened with the name Federalists. To my right are Patrick Henry and George Mason. They are opposed to the ratification of the constitution. Some have taken to calling them Anti-Federalists.

(To the Federalists):

Why this radical change? What was wrong with the Articles of Confederation?

(To the Anti-Federalists):

You question the existence of a military. Don't we need a military to protect us? Why the objections?

(To the Anti-Federalists):

What's the significance of a bill of rights? What are your fears about the lack of these protections? Isn't it true that there aren't any rights included in the Articles of Confederation?

(To the Federalists):

Isn't the area of these former colonies too vast to successfully exist as a republic?

(To the Federalists):

Isn't the president a king?

(To the Anti-Federalists):

Why fight taxation? Hasn't the difficulty with raising revenue already been clearly demonstrated by the failure of the Articles of Confederation?

(To the Federalists):

Doesn't this new form of government hold some potential benefits for the new nation? Some have argued that our ability to collect taxes and to stabilize our economy effect our ability to trade with foreign nations. Will this benefit the nation in the area of foreign relations?

(Pose question to both sides):

In this new form of government, who will have the power? Where will authority rest—with the federal government or with the states?

(Pose question to both sides):

Let's bring this conversation back to Virginia. What's at stake for our state?

(Pose question to both sides):

Tell me: What happens if we don't ratify?