

Ratifying the US Constitution: Federalists v. Anti-Federalists and the State Debates, 1787–1788



Washington as Statesman at the Constitutional Convention by Junius Brutus Stearns, 1856
(Virginia Museum of Fine Arts, CC-BY-NC)

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BY TIM BAILEY (Written in 2012, updated in 2024)

Tim Bailey taught middle school and elementary school in Utah for over two decades. Named the 2009 National History Teacher of the Year, he is the Gilder Lehrman Institute’s director of curriculum development and instructional design.

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GRADE LEVELS: 7–12

RECOMMENDED TIME FOR COMPLETION: Five 45-minute class periods

UNIT OVERVIEW

This unit is one of the Gilder Lehrman Institute’s Teaching Literacy through History™ (TLTH) resources, designed to align with the Common Core State Standards. Students will learn and practice skills that will help them analyze, assess, and develop knowledgeable and well-reasoned points of view on primary source materials. These skills will enable students to understand, summarize, and evaluate documents of historical significance.

The five lessons in this unit explore how policymakers from different states understood the benefits and liabilities of a new federal constitution. Students will read from the Federalist Papers, Antifederalist Papers, and correspondence. You will assess students’ understanding through critical thinking questions and performed debates scripted by students.

Students will be able to

- Analyze primary source documents using close-reading strategies
- Identify an author’s major claims
- Support claims using textual evidence
- Draw conclusions based on direct evidence found in the text
- Collaborate effectively with classmates to develop and express positions and viewpoints
- Identify historically significant political factions (e.g., Federalists, Anti-Federalists)

ESSENTIAL QUESTIONS

- According to political essayists, what were the strongest arguments in favor of a new federal constitution?
- According to political essayists, what were the strongest arguments against a federal constitution?
- How did people show or share their political beliefs?
- How did Americans with strong political opinions attempt to sway one another?

COMMON CORE STATE STANDARDS

CCSS.ELA-LITERACY.RH.11-12.2: Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.

CCSS.ELA-LITERACY.RH.11-12.3: Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.

CCSS.ELA-LITERACY.RI.8.1: Cite the textual evidence that most strongly supports an analysis of what the text says explicitly as well as inferences drawn from the text.

CCSS.ELA-LITERACY.SL.9-10.1: Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on topics, texts, and issues, building on others' ideas and expressing their own clearly and persuasively.

CCSS.ELA-LITERACY.W.8.1: Write arguments to support claims with clear reasons and relevant evidence.

CCSS.ELA-LITERACY.W.9-10.1: Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.

MATERIALS

- Source 1: Excerpts from Federalist Papers #1, #10, #51, and #84, *The Federalist: A Collection of Essays, Written in Favour of the New Constitution, as Agreed upon by the Federal Convention, September 17, 1787* (New York, 1788), I: 2, 4, 52, 54–55, 57–58, 59–60; II: 116–120, 345, 347, 349, 350, 353–354.
- Activity Sheet 1: Critical Thinking Questions: The Federalist Papers
- Overhead projector or other display device
- Source 2: Excerpts from Anti-Federalist Papers #1, #9, #46, and #84 printed in *The Antifederalist Papers*, Morton Borden, ed. (East Lansing: Michigan State University Press, 1965), pp. 1–2, 20–23, 131–132, and 243–246.
- Activity Sheet 2: Critical Thinking Questions: The Anti-Federalist Papers
- Source 3: Resolution of Congress Forwarding the Constitution to the States for Ratification, September 28, 1787, Philadelphia, The Gilder Lehrman Institute of American History, GLC07877
- Source 4: A Letter from John Peirce to Henry Knox, November 12, 1787, The Gilder Lehrman Institute of American History, GLC02437.03703
- Source 5: John Hancock on the Need for Constitutional Amendments, ca. August 1788, The Gilder Lehrman Institute of American History, GLC07916
- Source 6: Report of a Brawl between Federalists and Anti-Federalists on July 4, 1788, *Freeman's Journal or, the North-American Intelligencer* (Philadelphia), July 16, 1788, p. 1, The Gilder Lehrman Institute of American History, GLC00259.01
- Activity Sheet 3: The States Decide
- Activity Sheet 4: Debate Organizer
- The US Constitution (printed or online). Available online at the National Archives, America's Founding Documents, [archives.gov/founding-docs](https://www.archives.gov/founding-docs)

HISTORICAL BACKGROUND

“Federalists, Anti-Federalists, and the US Constitution” by Denver Brunsman, The George Washington University

When the Constitutional Convention ended on September 17, 1787, the work of ratifying the US Constitution immediately began. Supporters of the Constitution adopted the name Federalists to emphasize the sharing of power between the national and state governments, even though more power had shifted decidedly to the central government compared to the existing Articles of Confederation. Federalists labeled their opponents Anti-Federalists, the first of many clever political maneuvers that helped to secure ratification. Crying foul, Anti-Federalists claimed that they were the true federalists, as they argued for more power to the states, and that the Federalists were actually nationalists. Yet, the names stuck in the first great debate about what type of government America should have.

Federalists included leaders such as George Washington, Alexander Hamilton, and James Madison who had served mostly in America’s earliest national institutions, the Continental Army and Congress. From direct experience, they perceived the need for a stronger central government that could raise revenue. Federalists made a powerful case for the Constitution in newspapers and pamphlets with a national reach. Most famously, writing under the name of “Publius,” Hamilton, Madison, and John Jay defended the Constitution in a series of eighty-five essays in New York newspapers between October 1787 and August 1788. In the spring of 1788, a collection of the essays was published as *The Federalist*, and in the twentieth century the essays became known as the Federalist Papers. Jurists and scholars continue to read the Federalist Papers today to understand the intentions behind different clauses of the Constitution.

By contrast, although the Anti-Federalists included such leading figures as George Mason and Patrick Henry of Virginia and Elbridge Gerry of Massachusetts (the future father of gerrymandering), they drew the majority of their support from common farmers in rural areas. With few interstate contacts, Anti-Federalists struggled to project their message beyond their individual states. Still, they also left behind dozens of writings, originally published in newspapers, which aimed to prevent the ratification of the Constitution. Like “Publius,” Anti-Federalist writers used pseudonyms, such as “Brutus” and “Cato,” to conceal their identities. However, unlike the Federalists, Anti-Federalists rarely coordinated their message and their writings never appeared in a collection together until the twentieth century.

With such advantages, the Federalists seemed destined to secure easy ratification of the Constitution. Instead, ratification turned into an epic struggle, especially after the first five states ratified in late 1787 and early 1788. Anti-Federalists emphasized their most successful argument, that the Constitution lacked a bill of rights that protected individual liberties. After first defending the decision not to have a bill of rights, Federalists landed on a different strategy that they employed in large states like Massachusetts and Virginia: the first Congress would propose amendments to the Constitution *after* ratification. The tactic worked. In June 1788, New Hampshire and Virginia became the ninth and tenth states to ratify, followed closely by New York the next month. The new government had enough support to begin.

Anti-Federalists continued to organize under the new government to hold the Federalists to their promise. In November 1789, North Carolina became the twelfth state to ratify, but only after the first Congress had drafted the Bill of Rights and sent it to the states. Rhode Island followed in May 1790, bringing all the original thirteen states into the Union. Soon thereafter, the Anti-Federalists disappeared as a political faction, while the Federalists evolved into the governing party of the Washington and Adams presidential administrations in the 1790s. Although the Anti-Federalists lost the debate over ratification, in winning the Bill of Rights they demonstrated the potential rewards of principled political opposition in the new United States. Moreover, the larger contest between Federalists and Anti-Federalists introduced patterns of political debate—local vs. national, urban vs. rural, elite vs. commoner—that persist to this day.

*Denver Brunsman is an associate professor of history and chair of the history department at The George Washington University. He is the author of *George Washington and the Establishment of the Federal Government* and co-author of the textbook *Liberty, Equality, Power: A History of the American People*.*

LESSON 1

THE FEDERALIST PAPERS, 1787–1788

BY TIM BAILEY (Written in 2012, updated in 2024)

OVERVIEW

In the first lesson, the students will do a close reading of excerpts from four of the Federalist Papers and answer critical thinking questions to enable them to understand the authors' ideas. They will demonstrate their comprehension by restating the ideas in their own words. Depending on the length of the class period or other factors, this lesson may carry over into the following lesson.

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GRADE LEVELS: 7–12

TIME FOR COMPLETION: One 45-minute class period

UNIT OVERVIEW: This unit is one of the Gilder Lehrman Institute's Teaching Literacy through History™ (TLTH) resources, designed to align with the Common Core State Standards. Students will learn and practice skills that will help them analyze, assess, and develop knowledgeable and well-reasoned points of view on primary source materials. The five lessons in this unit explore how policymakers from different states understood the benefits and liabilities of a new federal constitution. Students will read from the Federalist Papers, Anti-Federalist Papers, and correspondence.

ESSENTIAL QUESTIONS

- According to political essayists, what were the strongest arguments in favor of a new federal constitution?
- How did people show or share their political beliefs?
- How did Americans with strong political opinions attempt to sway one another?

MATERIALS

- Source 1: Excerpts from Federalist Papers #1, #10, #51, and #84, *The Federalist: A Collection of Essays, Written in Favour of the New Constitution, as Agreed upon by the Federal Convention, September 17, 1787* (New York, 1788), I: 2, 4, 52, 54–55, 57–58, 59–60; II: 116–120, 345, 347, 349, 350, 353–354.
- Activity Sheet 1: Critical Thinking Questions: The Federalist Papers
- Overhead projector or other display device

PROCEDURE

1. Divide the class into groups of three or five students (an odd number will work best for the debate format in Lesson 4). These will be the critical thinking groups for the next several days.
2. The students should be familiar with the failure of the Articles of Confederation, the Constitutional Convention, and the drafting of the US Constitution. You may discuss the Historical Background with them, but do not reveal too much about the texts because you want the students to discover the arguments themselves through careful reading and discussion.
3. Distribute Source 1, the excerpts from Federalist Papers #1, #10, #51, and #84. If possible, display a copy so everyone can see it and you can refer to it easily.
4. “Share read” the excerpts from the Federalist Papers with the students. This is done by having the students

follow along silently while you begin reading aloud, modeling prosody, inflection, and punctuation. After a few sentences, ask the class to join in with the reading while you continue to read aloud, still serving as the model. This technique will support struggling readers as well as English language learners (ELL).

5. The students will encounter vocabulary that they do not know. One benefit of having the students work in groups is that they can reason out the meanings of words in context. If the students are truly stuck on a word that is critical to the passage, you can open up a class discussion. As a last resort, you can provide the meaning.
6. Distribute Activity Sheet 1, the Critical Thinking Questions for the Federalist Papers. The students should work together in their groups to develop an answer that uses quotations from the document itself as well as an answer in the students' own words demonstrating their understanding of the document. You may choose to model the first question with the class.
 - **Critical Thinking Question 1:** Federalist Paper #1 states that "History will teach us. . . ." What words does the author use to tell us what we will be taught? Put those thoughts into your own words. (Answers will vary, but in the end the students should conclude that groups interested in "the rights of the people" often end up as "tyrants.")
 - **Critical Thinking Question 2:** Federalist Paper #10 states "that the causes of faction cannot be removed, and that relief is only to be sought in the means of controlling its effects." What "effects" is the author referring to, and how are they to be remedied? Put those thoughts into your own words. (Answers will vary, but in the end the students should conclude that the "effects" include "a division of society" and the remedy is the formation of "a republic.")
 - **Critical Thinking Question 3:** Federalist Paper #51 states, "If men were angels, no government would be necessary." What does this statement imply when it comes to creating a government? What words does the author use to describe what is needed to create a new government? Put those thoughts into your own words. (Answers will vary, but in the end the students should conclude that "such devices [separation of powers] should be necessary to control the abuses of government" and "you must first enable the government to control the governed; and in the next place, oblige it to control itself.")
 - **Critical Thinking Question 4:** Federalist Paper #84 states that a bill of rights in the Constitution is not necessary. What arguments does the author make to back up this statement? Put those thoughts into your own words. (Answers will vary, but in the end the students should conclude that "the Constitution is itself, in every rational sense, and to every useful purpose, a bill of rights.")
7. **Wrap-up:** Discuss the students' conclusions and clarify any points of confusion.

LESSON 2

THE ANTI-FEDERALIST PAPERS, 1787–1788

BY TIM BAILEY (Written in 2012, updated in 2024)

OVERVIEW

In the second lesson, the students will do a close reading of excerpts from four of the Anti-Federalist Papers and answer critical thinking questions to enable them to understand the authors' ideas. They will demonstrate their comprehension by restating the ideas in their own words. Depending on the length of the class period or other factors, this lesson may carry over into the following lesson.

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GRADE LEVELS: 7–12

TIME FOR COMPLETION: One 45-minute class period

UNIT OVERVIEW: This unit is one of the Gilder Lehrman Institute's Teaching Literacy through History™ (TLTH) resources, designed to align with the Common Core State Standards. Students will learn and practice skills that will help them analyze, assess, and develop knowledgeable and well-reasoned points of view on primary source materials. The five lessons in this unit explore how policymakers from different states understood the benefits and liabilities of a new federal constitution. Students will read from the Federalist Papers, Anti-Federalist Papers, and correspondence.

ESSENTIAL QUESTIONS

- According to political essayists, what were the strongest arguments against a federal constitution?
- How did people show or share their political beliefs?
- How did Americans with strong political opinions attempt to sway one another?

MATERIALS

- Source 2: Excerpts from Anti-Federalist Papers #1, #9, #46, and #84 printed in *The Antifederalist Papers*, Morton Borden, ed. (East Lansing: Michigan State University Press, 1965), pp. 1–2, 20–23, 131–132, and 243–246. Unlike the Federalist Papers, the essays by Anti-Federalists were not conceived of as a unified series. Thus historians have imposed different numbering systems as they compiled various essays; the numbers used here are Morton Borden's.
- Activity Sheet 2: Critical Thinking Questions: The Anti-Federalist Papers
- Overhead projector or other display device

PROCEDURE

1. Students should work with their critical thinking groups from the previous lesson. Do not reveal too much about the arguments presented in the Anti-Federalist Papers as you want the students to discover them through careful reading and discussion with their classmates.
2. Distribute the excerpts from Anti-Federalist Papers #1, #9, #46, and #84. If possible, display a copy so everyone can see it and you can refer to it easily.
3. Share read the excerpts from the selected Anti-Federalist Papers with the students as described in Lesson 1. As in the previous lesson, encourage students to reason out the meaning of words they do not know.

4. Distribute Activity Sheet 2, with the Critical Thinking Questions for the Anti-Federalist Papers. The students should work together to develop an answer that uses quotations from the document itself as well as an answer in the students' own words demonstrating their understanding of the document.
 - **Critical Thinking Question 1:** Anti-Federalist Paper #1 states "In order to deceive them . . ." According to the author, who is deceiving whom and for what purpose? Put those thoughts into your own words. (Answers will vary, but in the end the students should conclude that the "Aristocracy" and "Lawyers" are out to deceive "The People" in order to "satisfy their voracious stomachs with the golden bait.")
 - **Critical Thinking Question 2:** Anti-Federalist Paper #9 begins, "We the Aristocratic party of the United States." Why would Anti-Federalists write from the point of view of the aristocrats? What evidence in this document shows the aristocrats' supposed contempt for the average citizen? Put those thoughts into your own words. (Answers will vary, but in the end the students should conclude that this Anti-Federalist Paper is a satire and that the evidence includes statements such as "totally incapable of thinking or acting" and "have power over little else than yoking hogs.")
 - **Critical Thinking Question 3:** Anti-Federalist Paper #46 states, "we are left wholly dependent on the wisdom and virtue of the men who shall from time to time be the members of Congress." What evidence does the author use to support this argument? Put those thoughts into your own words. (Answers will vary, but in the end the students should conclude that "the Congress are therefore vested with the supreme legislative power" and "undefined, unbounded and immense power.")
 - **Critical Thinking Question 4:** Anti-Federalist Paper #84 states that the Constitution needs to be "founded on a declaration or bill of rights." What evidence is presented by the author to support this argument? Put those thoughts into your own words. (Answers will vary but in the end they should conclude that "but rulers have the same propensities as other men, they are as likely to use the power with which they are vested, for private purposes" and "grand security to the rights of the people is not to be found in this Constitution.")
5. **Wrap-up:** Discuss the students' conclusions and clarify any points of confusion.

LESSON 3

THE STATES DECIDE, 1787-1788

BY TIM BAILEY (Written in 2012, updated in 2024)

OVERVIEW

In this lesson, the students will do a close reading of excerpts from a variety of primary sources: a broadside announcing the beginning of state ratification, correspondence discussing the ratification debates in Massachusetts and Virginia, and a report on ratification riots in New York. They will then analyze the documents to enable them to understand some aspects of the ratification debates in the states. They will demonstrate their comprehension by restating those ideas in their own words.

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GRADE LEVELS: 7-12

TIME FOR COMPLETION: One 45-minute class period

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ESSENTIAL QUESTIONS

- How did people show or share their political beliefs?
- How did Americans with strong political opinions attempt to sway one another?

MATERIALS

- Source 3: Resolution of Congress Forwarding the Constitution to the States for Ratification, September 28, 1787, Philadelphia, The Gilder Lehrman Institute of American History, GLC07877
- Source 4: A Letter from John Peirce to Henry Knox, November 12, 1787, The Gilder Lehrman Institute of American History, GLC02437.03703
- Source 5: John Hancock on the Need for Constitutional Amendments, ca. August 1788, The Gilder Lehrman Institute of American History, GLC07916
- Source 6: Report of a Brawl between Federalists and Anti-Federalists on July 4, 1788, *Freeman's Journal or, the North-American Intelligencer* (Philadelphia), July 16, 1788, p. 1, The Gilder Lehrman Institute of American History, GLC00259.01
- Activity Sheet 3: The States Decide

PROCEDURE

1. Display and distribute copies of Source 3, the Congressional resolution forwarding the US Constitution to the states. Ask the students if they can identify the purpose and significance of this broadside. The students will discuss the purpose and significance in their groups and then reconvene as a class to discuss their conclusions.
2. Distribute Sources 4, 5, and 6, the documents that address the state debates over ratification of the US Constitution. Note that Source 5 was written after the ratification of the US Constitution but refers to reasons for a bill of rights. The students should read the documents and complete Activity Sheet 3: The States Decide.
3. Bring the students together to share their analysis and compare conclusions.

LESSON 4

A RATIFICATION DEBATE

BY TIM BAILEY (Written in 2012, updated in 2024)

OVERVIEW

In this lesson, the students will create staged debates to apply their knowledge and understanding of the Federalists' and Anti-Federalists' arguments. This is not an actual debate but rather a scripted presentation of arguments that the authors of these documents would have made in a debate format. In the next lesson the groups will present their debates to the class.

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ESSENTIAL QUESTIONS

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- According to political essayists, what were the strongest arguments against a federal constitution?
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MATERIALS

- Source 1: Excerpts from Federalist Papers #1, #10, #51, and #84
- Activity Sheet 1: Critical Thinking Questions: The Federalist Papers
- Source 2: Excerpts from Anti-Federalist Papers #1, #9, #46, and #84
- Activity Sheet 2: Critical Thinking Questions: The Anti-Federalist Papers
- Source 3: Resolution of Congress Forwarding the Constitution to the States for Ratification, September 28, 1787
- Source 4: A Letter from John Peirce to Henry Knox, November 12, 1787
- Source 5: John Hancock on the Need for Constitutional Amendments, ca. August 1788
- Source 6: Report of a Brawl between Federalists and Anti-Federalists on July 4, 1788
- Activity Sheet 3: The States Decide
- Activity Sheet 4: Debate Organizer
- The US Constitution (printed or online). Available online at the National Archives, America's Founding Documents, [archives.gov/founding-docs](https://www.archives.gov/founding-docs)

PROCEDURE

1. Students will work with their critical thinking groups. All students should have copies of all the sources and activity sheets from Lessons 1–3 as well as access to the text of the US Constitution (printed or online).
2. The whole group will write a script for a debate based on the issues raised in the primary source documents they have been studying. This script is to be written as a team effort, and everyone in the group will have a copy of the final script.
3. Each group will choose one member to take the role of the debate moderator. The rest of the group will split into Federalists and Anti-Federalists.
4. Distribute Activity Sheet 4: Debate Organizer, which provides three questions that all groups must address during the debate. It is important that all the answers incorporate text from the documents.
 - What is your position on adding a bill of rights to the Constitution?
 - How would you address concerns about the “powers of government” under this new Constitution?
 - Explain why this Constitution is or is not in the best interests of our nation as a whole.
5. Wrap-up: If there is time, the students may rehearse their presentations for the next lesson.

LESSON 5

THE DEBATE

BY TIM BAILEY (Written in 2012, updated in 2024)

OVERVIEW

In this lesson, the students will present their scripted debates. In evaluating the students' work you should measure the following: Did the students effectively address all three questions using text-based evidence? Were all of the students in a group involved in the process? If you need to evaluate more individualized understanding of the issues presented in this unit, you can have students write a short essay based on the questions posed in the debate or on the essential questions.

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GRADE LEVELS: 7–12

TIME FOR COMPLETION: One 45-minute class period

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- How did Americans with strong political opinions attempt to sway one another?

MATERIALS

- Activity Sheet 4: Debate Organizer

PROCEDURE

1. The groups will present their scripted debates between the Federalists and the Anti-Federalists.
 - The moderator should begin by introducing both sides and setting out the protocol for the “debate.” (Watching a clip of a debate might be helpful.)
 - The moderator will then ask the first question and call on either the Federalists or the Anti-Federalists to respond; the other side will then counter with their own argument.
 - The moderator will continue the same process with the other two questions.
2. Wrap-up: As time allows, have the students debrief the debates and what they learned through the lessons in this unit. You may also take this opportunity to recap what actually resulted from the states debates and the battles between the Federalists and Anti-Federalists. You may choose to distribute the Historical Background essay (p. 4).
3. Optional: You may have the students write a short essay addressing either the issues in the scripted debates or the essential questions.

Source 1: Excerpts from the Federalist Papers

Federalist Paper #1

Among the most formidable of the obstacles, which the new constitution will have to encounter, may readily be distinguished the obvious interest of a certain class of men in every state to resist all changes which may hazard a diminution of the power, emolument and consequence of the offices they hold under the state-establishments—and the perverted ambition of another class of men, who will either hope to aggrandise themselves by the confusions of their country, or will flatter themselves with fairer prospects of elevation from the subdivision of the empire into several partial confederacies, than from its union under one government. . . .

The vigour of government is essential to the security of liberty; that, in the contemplation of a sound and well informed judgment, their interests can never be separated; and that a dangerous ambition more often lurks behind the specious mask of zeal for the rights of the people, than under the forbidding appearances of zeal for the firmness and efficiency of government. History will teach us, that the former has been found a much more certain road to the introduction of despotism, than the latter, and that of those men who have overturned the liberties of republics the greatest number have begun their career, by paying an obsequious court to the people, commencing demagogues, and ending tyrants.

Federalist Paper #10

AMONG the numerous advantages promised by a well constructed union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. . . .

By a faction I understand a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.

There are two methods of curing the mischiefs of faction: The one, by removing its causes; the other, by controlling its effects.

There are again two methods of removing the causes of faction: The one by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests.

It could never be more truly said than of the first remedy, that it is worse than the disease. Liberty is to faction, what air is to fire, an aliment without which it instantly expires. But it could not be a less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.

The second expedient is as impracticable, as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves. The diversity in the faculties of men from which the rights of property originate, is not less an insuperable obstacle to an uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results: And from the influence of these on the sentiments and views of the respective proprietors, ensues a division of the society into different interests and parties. . . .

The inference to which we are brought, is, that the *causes* of faction cannot be removed, and that relief is

only to be sought in the means of controlling its *effects*. . . .

From this view of the subject, it may be concluded, that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. . . .

A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. . . .

The 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, on the one hand, 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. . . .

Hence it clearly appears, that the same advantage, which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic—is enjoyed by the union over the states composing it.

Federalist Paper #51

In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent, is admitted on all hands to be essential to the preservation of liberty, it is evident that each department should have a will of its own; and consequently should be so constituted that the members of each should have as little agency as possible in the appointment of the members of the others. . . .

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. . . . 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 all 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 is 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. . . .

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. It may even be necessary to guard against dangerous encroachments by still further precautions. As the weight of the legislative authority requires that it should be thus divided, 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 armed. . . .

In a single republic, all the power surrendered by the people, is submitted to the administration of a single government; and the usurpations are guarded against by a division of the government into distinct and separate departments. In the compound republic of America, the power surrendered by 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.

Federalist Paper #84

The most considerable of these remaining objections is, that the plan of the convention contains no bill of rights. . . .

It has been several times truly remarked, that bills of rights are in their origin, stipulations between kings and their subjects, abri[d]gements of prerogative in favor of privilege, reservations of rights not surrendered to the prince. Such was MAGNA CHARTA, obtained by the Barons, sword in hand, from king John. . . . It is evident, therefore, that, according to their primitive signification, they have no application to constitutions professedly founded upon the power of the people, and executed by their immediate representatives and servants. Here, in strictness, the people surrender nothing, and as they retain every thing, they have no need of particular reservations. “We THE PEOPLE of the United States, to secure the blessings of liberty to ourselves and our posterity, do *ordain* and *establish* this constitution for the United States of America.” . . .

I go further, and affirm that bills of rights, in the sense and in the extent in which they are contended for, are not only unnecessary in the proposed constitution, but would even be dangerous. They would contain various exceptions to powers which are not granted; and on this very account, would afford a colourable pretext to claim more than were granted. For why declare that things shall not be done which there is no power to do? Why for instance, should it be said, that the liberty of the press shall not be restrained, when no power is given by which restrictions may be imposed? . . .

There remains but one other view of this matter to conclude the point. The truth is, after all the declamations we have heard, that the constitution is itself in every rational sense, and to every useful purpose, A BILL OF RIGHTS. . . . And the proposed constitution, if adopted, will be the bill of rights of the union. Is it one object of a bill of rights to declare and specify the political privileges of the citizens in the structure and administration of the government? This is done in the most ample and precise manner in the plan of the convention, comprehending various precautions for the public security, which are not to be found in any of the state constitutions. . . .

The great bulk of the citizens of America, are with reason convinced that union is the basis of their political happiness. Men of sense of all parties now, with few exceptions, agree that it cannot be preserved under the present system, nor without radical alterations; that new and extensive powers ought to be granted to the national head, and that these require a different organization of the federal government, a single body being an unsafe depository of such ample authorities.

Source: *The Federalist: A Collection of Essays, Written in Favour of the New Constitution, as Agreed upon by the Federal Convention, September 17, 1787* (New York, 1788), I: 2, 4, 52, 54–55, 57–58, 59–60; II: 116–120, 345, 347, 349, 350, 353–354.

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Activity Sheet 1: Critical Thinking Questions

The Federalist Papers

Federalist Paper #1 states that “History will teach us. . . .” What words does the author use to tell us what we will be taught?

Put those thoughts into your own words.

Federalist Paper #10 states “that the causes of faction cannot be removed, and that relief is only to be sought in the means of controlling its effects.” What “effects” is the author referring to, and how are they to be remedied?

Put those thoughts into your own words.

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<p>Federalist Paper #51 states, “If men were angels, no government would be necessary.” What does this statement imply when it comes to creating a government? What words does the author use to describe what is needed to create a new government?</p>	<p>Put those thoughts into your own words.</p>
<p>Federalist Paper #84 states that a bill of rights in the Constitution is not necessary. What arguments does the author make to back up this statement?</p>	<p>Put those thoughts into your own words.</p>

Source 2: Excerpts from the Anti-Federalist Papers

Anti-Federalist Paper #1

I am pleased to see a spirit of inquiry burst the band of constraint upon the subject of the NEW PLAN for consolidating the governments of the United States, as recommended by the late Convention. If it is suitable to the GENIUS and HABITS of the citizens of these states, it will bear the strictest scrutiny. The PEOPLE are the grand inquest who have a RIGHT to judge of its merits. The hideous daemon of Aristocracy has hitherto had so much influence as to bar the channels of investigation, preclude the people from inquiry and extinguish every spark of liberal information of its qualities. . . . They cry aloud the whole must be swallowed or none at all, thinking thereby to preclude any amendment; they are afraid of having it abated of its present RIGID aspect. They have strived to overawe or seduce printers to stifle and obstruct a free discussion, and have endeavored to hasten it to a decision before the people can duly reflect upon its properties. In order to deceive them, they incessantly declare that none can discover any defect in the system but bankrupts who wish no government, and officers of the present government who fear to lose a part of their power. These zealous partisans may injure their own cause, and endanger the public tranquility by impeding a proper inquiry; the people may suspect the WHOLE to be a dangerous plan, from such COVERED and DESIGNING schemes to enforce it upon them. . . . The Lawyers in particular, keep up an incessant declamation for its adoption; like greedy gudgeons they long to satiate their voracious stomachs with the golden bait. The numerous tribunals to be erected by the new plan of consolidated empire, will find employment for ten times their present numbers; these are the LOAVES AND FISHES for which they hunger. They will probably find it suited to THEIR HABITS, if not to the HABITS OF THE PEOPLE.

Anti-Federalist Paper #9

We the Aristocratic party of the United States, lamenting the many inconveniences to which the late confederation subjected the *well-born*, the *better kind* of people, bringing them down to the level of the rabble—and holding in utter detestation that frontispiece to every bill of rights, “that all men are born equal”—beg leave (for the purpose of drawing a line between such as we think were *ordained* to govern, and such as were *made* to bear the weight of government without having any share in its administration) to submit to *our friends* in the first class for their inspection, the following defense of our *monarchical, aristocratical democracy*.

1st. As a majority of all societies consist of men who (though totally incapable of thinking or acting in governmental matters) are more readily led than driven, we have thought meet to indulge them in something like a democracy in the new constitution, which part we have designated by the popular name of the House of Representatives. But to guard against every possible danger from this *lower house*, we have subjected every bill they bring forward, to the double negative of our *upper house* and president. . . .

2d. They will from the perpetuity of office be under *our* eye, and in a short time will think and act like *us*, independently of popular whims and prejudices. . . . We have frequently endeavored to effect in our respective states, the happy discrimination which pervades this system; but finding we could not bring the states into it individually, we have determined . . . and have taken pains to leave the legislature of each *free and independent* state, as they now call themselves, in such a situation that they will eventually be absorbed by our *grand continental vortex*, or dwindle into petty corporations, and have power over little else than *yoaking hogs* or determining the width of *cart wheels*. . . . Impressed with a conviction that this constitution is calculated to restrain the influence and power of the LOWER CLASS — to draw that *discrimination* we have so long sought after; to secure to our friends *privileges and offices*. . . .

Signed by unanimous order of the lords spiritual and temporal.

Anti-Federalist Paper #46

We find here that the Congress in its legislative capacity, shall have the power to lay and collect taxes, duties, and excises; to borrow money; to regulate commerce; to fix the rule for naturalization and the laws of bankruptcy; to coin money; to punish counterfeiters; to establish post offices and post roads; to secure copy rights to authors; to constitute tribunals; to define and punish piracies; to declare war; to raise and support armies; to provide and support a navy; to call forth the militia; to organize, arm and discipline the militia; to exercise absolute power over a district ten miles square, independent of all the State legislatures, and to be alike absolute over all forts, magazines, arsenals, dock-yards, and other needful buildings thereunto belonging. This is a short abstract of the powers given to Congress. . . . My object is to consider that *undefined, unbounded and immense power* which is comprised in the following clause—“And 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 offices thereof.” Under such a clause as this, can anything be said to be reserved and kept back from Congress? . . . Besides the powers already mentioned, other powers may be assumed hereafter as contained by implication in this constitution. The Congress shall judge of what is necessary and proper in all these cases, and in all other cases—in short, in all cases whatsoever.

Where then is the restraint? How are Congress bound down to the powers expressly given? What is reserved, or can be reserved? Yet even this is not all. As if it were determined that no doubt should remain, by the sixth article of the Constitution it is declared that “this Constitution and the laws of the United States which shall be made in pursuance thereof, and all 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 Constitutions or laws of any State to the contrary notwithstanding.” The Congress are therefore vested with the supreme legislative power, without control. In giving such immense, such unlimited powers, was there no necessity of a Bill of Rights, to secure to the people their liberties? Is it not evident that we are left wholly dependent on the wisdom and virtue of the men who shall from time to time be the members of Congress? And who shall be able to say seven years hence, the members of Congress will be wise and good men, or of the contrary character?

Anti-Federalist Paper #84

When a building is to be erected which is intended to stand for ages, the foundation should be firmly laid. The Constitution proposed to your acceptance is designed, not for yourselves alone, but for generations yet unborn. The principles, therefore, upon which the social compact is founded, ought to have been clearly and precisely stated, and the most express and full declaration of rights to have been made. But on this subject there is almost an entire silence.

If we may collect the sentiments of the people of America, from their own most solemn declarations, they hold this truth as self-evident, that all men are by nature free. No one man, therefore, or any class of men, have a right, by the law of nature, or of God, to assume or exercise authority over their fellows. The origin of society, then, is to be sought, not in any natural right which one man has to exercise authority over another, but in the united consent of those who associate. . . . The common good, therefore, is the end of civil government, and common consent, the foundation on which it is established. To effect this end, it was necessary that a certain portion of natural liberty should be surrendered, in order that what remained should be preserved. . . . But rulers have the same propensities as other men; they are as likely to use the power with which they are vested, for private purposes, and to the injury and oppression of those over whom they are placed, as individuals in a state of nature are to injure and oppress one another. It is therefore as proper that bounds should be set to their authority, as that government should have at first been instituted to restrain private injuries. . . .

This principle is a fundamental one, in all the Constitutions of our own States; there is not one of them but what is either founded on a declaration or bill of rights, or has certain express reservation of rights interwoven in the body of them. From this it appears, that at a time when the pulse of liberty beat high, and when an appeal was made to the people to form Constitutions for the government of themselves, it was their universal sense, that such declarations should make a part of their frames of government. It is, therefore, the more astonishing, that this grand security to the rights of the people is not to be found in this Constitution. . . .

The powers, rights and authority, granted to the general government by this Constitution, are as complete, with respect to every object to which they extend, as that of any State government—it reaches to every thing which concerns human happiness—life, liberty, and property are under its control. . . . So far is it from being true, that a bill of rights is less necessary in the general Constitution than in those of the States, the contrary is evidently the fact. This system, if it is possible for the people of America to accede to it, will be an original compact; and being the last will, in the nature of things, vacate every former agreement inconsistent with it. For it being a plan of government received and ratified by the whole people, all other forms which are in existence at the time of its adoption, must yield to it. . . .

Ought not a government, vested with such extensive and indefinite authority, to have been restricted by a declaration of rights? It certainly ought.

So clear a point is this, that I cannot help suspecting that persons who attempt to persuade people that such reservations were less necessary under this Constitution than under those of the States, are willfully endeavoring to deceive, and to lead you into an absolute state of vassalage.

Source: *The Antifederalist Papers*, Morton Borden, ed. (East Lansing: Michigan State University Press, 1965), pp. 1–2, 20–23, 131–132, and 243–246.

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Activity Sheet 2: Critical Thinking Questions

The Anti-Federalist Papers

<p>Anti-Federalist Paper #1 states “In order to deceive them. . . .” According to the author, who is deceiving whom and for what purpose?</p>	<p>Put those thoughts into your own words.</p>
<p>Anti-Federalist Paper #9 begins, “We the Aristocratic party of the United States.” Why would Anti-Federalists write from the point of view of the aristocrats? What evidence in this document shows the aristocrats’ supposed contempt for the average citizen?</p>	<p>Put those thoughts into your own words.</p>

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<p>Anti-Federalist Paper #46 states, “we are left wholly dependent on the wisdom and virtue of the men who shall from time to time be the members of Congress.” What evidence does the author use to support this argument?</p>	<p>Put those thoughts into your own words.</p>
<p>Anti-Federalist Paper #84 states that the Constitution needs to be “founded on a declaration or bill of rights.” What evidence is presented by the author to support this argument?</p>	<p>Put those thoughts into your own words.</p>

Source 3: Resolution of Congress, September 28, 1787

The United States
In C O N G R E S S Assembled,

FRIDAY, September 28, 1787.

PRESENT—New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Virginia, North-Carolina, South-Carolina, and Georgia, and from Maryland Mr. Rofs.

Congress having received the Report of the Convention lately assembled in Philadelphia,

Resolved Unanimously,

TH A T the said Report, with the Resolutions and Letter accompanying the same, be transmitted to the several Legislatures, in order to be submitted to a Convention of Delegates, chosen in each State by the People thereof, in Conformity to the Resolves of the Convention, made and provided in that Case.

Charles Thomson, Secretary.

Philadelphia, Printed by Dunlap & Claypoole.

(The Gilder Lehrman Institute of American History, GLC07877)

Sources 4 and 5

Excerpt from a Letter from John Peirce to Henry Knox, November 12, 1787

Dr Sir

When I wrote to you I informed you of the act as formed by the House of Delegates for calling a convention. it was altered by the senate to what you will find by the enclosed paper, which is the one now adopted by the legislature. the policy of the state is against the constitution and the union itself. a great majority of the members of the Legislature are opposed to it – but the body of the people at large continues in favor of it. I am however of opinion, that when the representatives now here return to their homes, that they will influence the people generally against it – & it will fall. . . .

Source: John Peirce to Henry Knox, November 12, 1787, The Gilder Lehrman Institute of American History, GLC02437.03703.

John Hancock on the Need for Constitutional Amendments, ca. August 1788

I have Rec'd a Letter from Congress informing me that they have determined on the several Days for appointing the Electors & for them to proceed to assemble in their respective States, & vote for a President, & also for the time & place for commencing proceedings under the new Constitution -

These are matters of the highest importance to this & every other State in the Union, & therefore you will readily conceive they require your candid & impartial deliberations Your wise decisions will tend not only to cultivate & strengthen that harmony & mutual affection among the States which is at all times so essential even to their existence but also to ensure the good Administration of the federal Constitution adopted by a great majority of them - A Constitution which with some amendments recommended by the People of this State, and expected by others, we may promise our selves will establish the Respectability of the United States abroad, as well as their internal Liberty, Safety & Prosperity - Such amendments, Gentlemen, I thought it my Duty to propose to the late Convention of this State for their Recommendations. They [strikeout] [inserted: were] pleased accordingly to admit them, and I [struck: think] now think it incumbent on myself, so far as may be consistent with the Duty of my own Department to countenance and support them - It would be fortunate indeed, if the Constitution should be so amended, as to make it evident beyond all reasonable Doubt, that the federal Government is vested with complete powers adequate to every Emergency of the United States, with no further Diminution of the Powers of individual States than shall be necessary for this great & important End

Source: John Hancock on the Need for Constitutional Amendments, ca. August 1788, The Gilder Lehrman Institute of American History, GLC07916.

Source 6: Report of a Brawl between Federalists and Anti-Federalists on July 4, 1788

Extract of a letter from Poughkeepsie [NY], dated July 8. "Friday last the 4th instant, a very disagreeable fracas happened in the city of Albany [NY], all the particulars of which, as far as they have come to my knowledge, are — That the federalists having received the news of the adoption by Virginia, last Thursday evening, proposed having a procession next day; but on the remonstrance of many of the antifederalists that it would be disagreeable to them, they gave up the idea. When the next day came, July 4, it was mortifying to the federalists to observe a party of about 50 antifederalists marching in procession to a vacant lot in the skirts of the town, where, after firing thirteen guns, they burnt the constitution. The federalists who were then collected, determined immediately to have a procession; and having arranged themselves, began a march through the principal streets of the city; they met with no interruption till they came to a narrow street in which Mr. Dennison lives (I believe Green-street) when they were ordered not to proceed, by a large party who had collected there to oppose them; after a few words, a general battle took place, with swords, bayonets, clubs, stones, &c. which lasted for some time, both parties fighting with the greatest rage, and determined obstinacy, till at last the antifederalists being overpowered by numbers gave way and retreated, many into the house of a Mr. Hilton, where they made a second stand, and others into the country for safety. The federalists attacked the house of Mr. Hilton, and in the victory, which they soon gained, did great damage to the building. Many of the parties were severely wounded in the conflict, and one poor man, a cooper, is supposed to have received a mortal wound from a bayonet. Several reports are circulating about men killed, &c. but are not to be relied on."

Source: *The Freeman's Journal or, the North-American Intelligencer* (Philadelphia, PA), July 16, 1788, p. 1, The Gilder Lehrman Institute of American History, GLC00259.01.

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Activity Sheet 3: The States Decide

Important Phrases

Which phrases or sentences in the four primary sources concerning the ratification debates in the states are the most important or powerful? Choose one from each document and give the reason for your choice.

Phrase 1: Resolution of Congress

Why is this phrase important or powerful?

Phrase 2: John Peirce to Henry Knox

Why is this phrase important or powerful?

Phrase 3: The Need for Constitutional Amendments

Why is this phrase important or powerful?

Phrase 4: Report of a Brawl between Federalists and Anti-Federalists

Why is this phrase important or powerful?

Critical Thinking Question: What, if anything, do these documents have in common?

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Activity Sheet 4: Debate Organizer

Federalists

or

Anti-Federalists

What is your position on adding a bill of rights to the Constitution?	Answer:
	Evidence from Text:

How would you address concerns about the “powers of government” under this new Constitution?	Answer:
	Evidence from Text:

Explain why this Constitution is or is not in the best interests of our nation as a whole.	Answer:
	Evidence from Text: