

Debate Over the Constitution: Federalists v Anti-Federalists

Grade Level: Middle School
Time: 55 min

Learning Objectives:

- Students will investigate the debate over how much power the federal government should have versus the states by examining the viewpoints of the Federalists and Anti-Federalists.
- Students will analyze the Founders debates over federalism and draw connections to how our government is structured today.

Overview:

In this lesson, students explore how the Constitution sparked debate over the balance of power between state and national governments. Through primary source analysis and comparison of Federalist and Anti-Federalist views, students develop and support a working definition of federalism.

1. Hook (10 min)

Teacher: Lead a discussion by asking students:

- *Who should decide the rules in your life—your family, your school, your town, or the government?*
- *What kinds of rules are appropriate at each level?"*

Create a "levels of power" chart on the board:

- Local, State, Federal Students contribute examples (e.g., communities can set curfews, state government sets driving age, federal government makes currency).

Student: Contribute examples and discuss how different levels of authority shape their daily lives.

2. Building Background Knowledge (10-15 min)

Teacher: Display and discuss the definition of *federalism: the division of power between national, state, and local governments.*

- Explain that when the Constitution was written in 1787, this division sparked intense debate.
- Introduce the two opposing groups:

Federalists supported the Constitution, favoring a strong national government to unite the states, protect the nation, and balance competing interests.

Anti-Federalists opposed it, fearing too much central power and too little protection for individual freedoms and states' rights.

Student: Take notes on the definitions and ask clarifying questions.

3. Primary Source Analysis (15-20 min)

Teacher: Place students into small groups and distribute the *Primary Source Analysis Worksheet and Glossary*.

- Assign sources for analysis:

Group A: Patrick Henry, *Speech before the Virginia Ratifying Convention*; James Madison, *Federalist No. 45*

Group B: George Mason, *Objections to the Constitution*; Alexander Hamilton, *Federalist No. 23*

- Model how to record the title and author, underline key phrases, and respond to the questions on the *Primary Source Analysis Worksheet*.

Student: Work in groups to analyze assigned sources, highlight key arguments, and complete the organizer.

4. Reflection (10 min)

Teacher: Have students respond to the provided *Exit Ticket*

Student: Write and submit exit tickets.

Primary Source Group A #1:

An Excerpt from Patrick Henry's Speech Before Virginia Ratifying Convention

Excerpt:

The question turns, sir, on that poor little thing — the expression, **We, the people**, instead of the states, of America. I need not take much pains to show that the principles of this system are extremely pernicious, impolitic, and dangerous. Is this a **monarchy**, like England — a **compact** between prince and people, with checks on the former to secure the liberty of the latter? Is this a **confederacy**, like Holland — an association of a number of independent states, each of which retains its individual **sovereignty**? It is not a democracy, wherein the people retain all their rights securely...

Suppose every **delegate** from Virginia opposes a law laying a tax; what will it avail? They are opposed by a majority; eleven members can destroy their efforts: those feeble ten cannot prevent the passing the most **oppressive** tax law; so that, in direct opposition to the spirit and express language of your **declaration of rights**, you are taxed, not by your own consent, but by people who have no connection with you...

Your President may easily become king... If your American chief be a man of **ambition** and abilities, how easy is it for him to render himself **absolute**! The army is in his hands, and if he be a man of **address**, it will be attached to him... Where is the difference between having a king to rule over us, and a President with such **immense powers**?...

Source: <https://teachingamericanhistory.org/document/patrick-henry-virginia-ratifying-convention-va/>

Primary Source Group B #1:

An excerpt from **Objections to the Constitution of Government formed by the Convention (1787)** by George Mason

Excerpt:

There is no **Declaration of Rights**; and the Laws of the general Government being **paramount** to the Laws & Constitutions of the several States, the Declarations of Rights in the separate States are no Security. ...

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

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

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

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

This Government will commence in a moderate **Aristocracy**; it is at present impossible to foresee whether it will, in it's Operation, produce a **Monarchy**, or a corrupt oppressive Aristocracy; it will most probably vibrate some years between the two, and then terminate in the one or the other.—

Source: <https://constitutioncenter.org/the-constitution/historic-document-library/detail/george-mason-objections-to-the-constitution-of-government-formed-by-the-convention-1787>

Primary Source Group A #2:

An excerpt from Federalist No. 45 by James Madison

Excerpt:

Within every district to which a federal collector would be **allotted**, there would not be less than thirty or forty, or even more, officers of different descriptions, and many of them persons of character and weight, whose influence would lie on the side of the State. The powers delegated by the proposed Constitution to the federal government are few and defined.

Those which are to remain in the State governments are numerous and **indefinite**. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the power of taxation will, for the most part, be connected.

The powers reserved to the several States will extend to all the objects which, in the **ordinary** course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and **prosperity** of the State.

The operations of the federal government will be most **extensive** and important in times of war and danger; those of the State governments, in times of peace and security. As the former periods will probably bear a small proportion to the latter, the State governments will here enjoy another advantage over the federal government...

The change relating to taxation may be regarded as the most important; and yet the present Congress have as complete authority to REQUIRE of the States indefinite supplies of money for the common defense and **general welfare**, as the future Congress will have to require them of individual citizens... Had the States complied punctually with the articles of Confederation, or could their compliance have been enforced by as peaceable means as may be used with success towards single persons, our past experience is very far from countenancing an opinion, that the State governments would have lost their constitutional powers, and have gradually undergone an entire **consolidation**. To maintain that such an event would have ensued, would be to say at once, that the existence of the State governments is incompatible with any system whatever that accomplishes the essential purposes of the Union.

Source: Library of Congress; The Federalist Papers: Primary Documents in American History

Primary Source Group B #2:

An excerpt from Federalist No. 23 by Alexander Hamilton

Excerpt:

Whether there ought to be a Fœderal Government intrusted with the care of the common defence, is a question in the first instance open to discussion; but the moment it is decided in the **affirmative**, it will follow, that that government ought to be **cloathed** with all the powers **requisite** to the complete execution of its trust. And unless it can be **shewn**, that the circumstances which may affect the public safety are **reducible** within certain **determinate** limits; unless the **contrary** of this position can be fairly and rationally disputed, it must be admitted, as a necessary consequence, that there can be no limitation of that authority, which is to provide for the defence and protection of the community, in any matter essential to its efficiency; that is, in any matter essential to the formation, direction or support of the NATIONAL FORCES.

Source: National Archive Founders Online

Evolution of Federalism: Primary Source Analysis Worksheet

Name: _____

	Source One Name: Author:	Source Two Name: Author:
What did this founder write about the balance of power between state and the federal government?		
Based on your analysis of this source, is the author of this excerpt likely a <i>Federalist</i> or an <i>Anti-Federalist</i> ? Explain your thinking. Utilize the definitions established earlier in this lesson.		

Exit Ticket

Name: _____

Using what you have learned from this lesson, write one sentence that best defines **federalism**.

Include a quote from one primary source you analyzed to support your definition.

Glossary of Terms:

- Absolute:** Having total, unlimited power.
- Address (in this excerpt):** Skill in dealing with people; cleverness or charm.
- Affirmative:** Agreeing with or consenting to a statement or request.
- Allotted:** Given or set aside for a specific purpose.
- Ambition:** A strong desire for power or success.
- Aristocracy:** A government controlled by a small group of wealthy or powerful families. Mason feared the U.S. might begin as this type of government.
- Clothed:** 18th century spelling for 'clothed'.
- Compact:** An agreement or contract between two groups.
- Confederacy:** A loose union of independent states that join together but keep their own power like in the Articles of Confederation.
- Consolidation:** Bringing things together to make them stronger or more united.
- Contrary:** Opposite direction or meaning.
- Declaration of Rights:** A written list of rights and freedoms that the government must protect (like freedom of speech or religion).
- Delegate:** A representative sent by the people of a state to make decisions in government.
- Determinate:** Having exact limits.
- Enumerated Powers:** Specific powers listed in the Constitution that Congress is allowed to have. Mason feared Congress would stretch these powers too far.
- Extensive:** Something that is large; covering or affecting a large area.
- General Welfare:** The overall well-being or good of everyone in a group or country.
- Immense powers:** Very great or unlimited powers.
- Impolitic:** Not wise; a bad or risky decision.
- Indefinite:** Lasting for an unknown length of time; vague.
- Judiciary:** The court system that interprets and applies laws.
- Legislature:** The branch of government that writes and passes laws (Congress).
- Minions & Favourites:** Trusted advisers or friends who are not elected or official. Mason worried the President would listen to them instead of good advice.
- Monarch:** A government ruled by a king or queen (like England).
- Monopolies in Trade & Commerce:** When one person or group has complete control over buying and selling certain goods.
- Oppressive:** Unfair and harsh; using power in a way that hurts people.
- Paramount:** More important or more powerful than something else. Mason worried federal laws would be more powerful than state laws.
- Pernicious:** Very harmful or dangerous.
- Prosperity:** A time when people are doing well, especially with money and success.
- Reducible:** Capable of being simplified.
- Representation:** Choosing or voting for the people to speak and make laws for you. Mason thought the House of Representatives was too small to fairly represent everyone.
- Requisite:** Something that is necessary for the achievement of a specified end.
- Shewn:** 18th century spelling for 'show'.
- Sovereignty:** The right to rule or govern independently.
- We the people:** The opening words of the Constitution. Henry worried this meant the national government would get power directly from the people instead of through the states.

Summary of Excerpts:

Primary Source #1 Summary: An Excerpt from Patrick Henry's Speech Before Virginia Ratifying Convention

Patrick Henry was a well-known Virginian known for his "Give me liberty, or give me death!" speech. At the Virginia Ratifying Convention in 1788, he argued strongly against the Constitution. Henry worried that the phrase "*We the people*" took power away from the states and gave it to a single national government. He believed Congress could pass unfair taxes even if Virginia opposed them. Most of all, he feared the President could gain too much power and turn into a king.

Primary Source #2 Summary: An excerpt from Objections to the Constitution of Government formed by the Convention (1787) by George Mason

George Mason was a delegate from Virginia who helped write Virginia's Declaration of Rights in 1776. But in 1787, he refused to sign the new Constitution. Soon after, he wrote a list of objections that spread widely and influenced many Anti-Federalists. Mason argued that the House of Representatives was too small to fairly represent the people, the President had too much power, Congress and the courts could weaken the states, and—most importantly—the Constitution did not include a Bill of Rights.

Primary Source #3 Summary: An excerpt from Federalist No. 45 by James Madison

Federalist No. 45, was written by Madison to address concerns that the proposed Constitution would undermine the authority of state governments. Madison argued that the powers of the federal government must be limited, state powers have to be vital and broad, and that dividing powers between federal and state governments would act as a safeguard for liberty.

Primary Source #4 Summary: An excerpt from Federalist No. 23 by Alexander Hamilton

In this excerpt, Hamilton argues that if the federal government is responsible for protecting the country, then it must have all the powers it needs to do that job well. He says there shouldn't be limits on the government's ability to defend the nation, because threats to public safety can't always be predicted or controlled. Hamilton believes a strong federal government is necessary to keep the country safe.