

## LESSON 15

# What Conflicting Opinions Did the Framers Have about the Completed Constitution?

### Purpose of Lesson

This lesson describes some conflicting points of view of leading Framers about the Constitution. Most of the delegates argued for the adoption of the Constitution, although many had reservations about all or parts of it. The reservations of three were so serious that they refused to sign the document. The position of one of these Framers, George Mason, is explored in detail. You also will examine Benjamin Franklin's statement in defense of the Constitution.

When you have completed this lesson, you should be able to explain the positions of Franklin and Mason, and give arguments in support of and in opposition to these positions.

### Critical Thinking Exercise ANALYZING THE POSITIONS OF GERRY AND HAMILTON

The following remarks were made by two of the Framers on the last day of the convention. One of these Framers signed the Constitution; the other did not.

Work with a study partner or in small groups to analyze the statement. Then answer the questions and be prepared to present and defend your position. What do the following comments tell you about the differences of opinion among the Framers concerning the Constitution they had developed? What were some problems they thought might arise in getting it approved?

*...every member [of the convention] should sign. A few characters of consequence, by opposing or even refusing to sign the Constitution, might do infinite mischief.... No man's ideas were more remote from the plan than [mine are] known to be; but is it possible to deliberate between anarchy... on one side, and the chance of good to be expected from the plan on the other?*

Alexander Hamilton

*...a Civil war may result from the present crisis.... In Massachusetts...there are two parties, one devoted to Democracy, the worst... of all political evils, the other as violent in the opposite extreme...for this and other reasons... the plan should have been proposed in a more mediating shape.*

Elbridge Gerry



Howard Chandler Christy's "The Signing of the Constitution of the United States"

### What did the Framers think when the Philadelphia Convention ended?

The Constitution has been described as "a bundle of compromises." As you have seen, such prominent features of the Constitution as the different plans for representation in the House and the Senate and the method of selecting the president were settled by compromise. Compromise, however, means that everyone gets less than they want. There were enough compromises in the completed Constitution that nearly every delegate could find something he did not like. During the four months the delegates had spent putting the Constitution together, there were some strong disagreements. Some had walked out of the convention. Three refused to sign the finished document.

Benjamin Franklin argued in support of the Constitution. George Mason argued against it. Mason was one of the three delegates remaining until the end of the convention who refused to sign the document.

### How did Franklin defend the work of the convention?

On the last day of the convention, September 17, 1787, Benjamin Franklin prepared a speech intended to persuade all the delegates to sign the completed Constitution. The speech was read by James Wilson, because Franklin's age and illness made him too weak to deliver it himself.

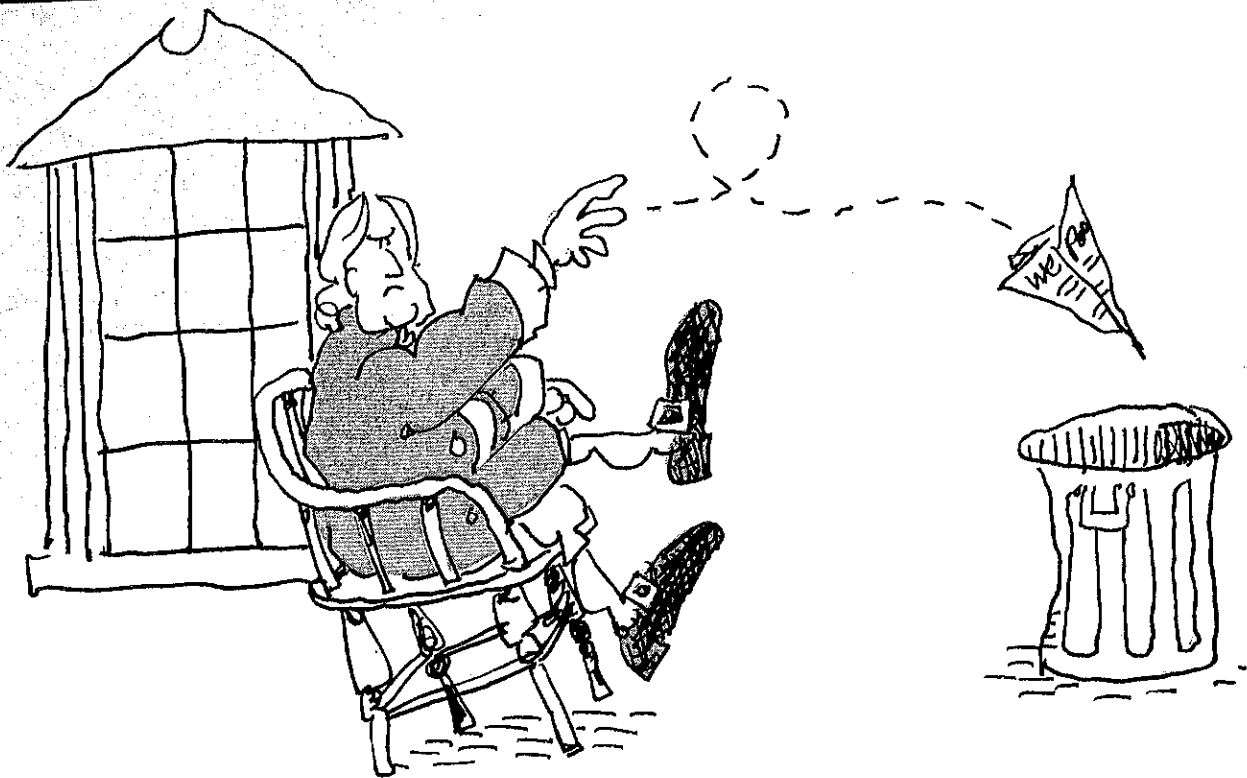
*I confess that there are several parts of this Constitution which I do not at present approve.... [But] the older I grow, the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others.... In these sentiments...I agree with this Constitution with all its faults, if they are such; because I think a general Government necessary for us...[and] I doubt...whether any other Convention we can obtain, may be able to make a better Constitution. For when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assembly can a perfect production be expected? It therefore astonishes me...to find this system approaching so near to perfection as it does.... Thus I consent...to this*

*Constitution because I expect no better, and because I am not sure, that it is not the best.... If every one of us in returning to our Constituents were to report the objections he has had to it...we might prevent its being generally received, and thereby lose all the salutary effects and great advantages resulting naturally in our favor among foreign Nations as well as among ourselves, from a real or apparent unanimity.... On the whole...I cannot help expressing a wish that every member of the Convention who may still have objections to it, would with me on this occasion doubt a little of his own infallibility, and to make manifest our unanimity put his name to this instrument.*

### Why did George Mason object to the Constitution?

Less than a week before the convention ended, George Mason wrote a list of objections on his copy of the draft of the Constitution. The list was later printed as a pamphlet during the ratification debate. The following are some of his more important objections:

1. The Constitution does not contain a Bill of Rights.
2. Because members of the Senate are selected by state legislatures, it means that they are not representatives of the people or answerable to them. They have great powers, such as the right to approve the appointment of ambassadors and treaties recommended by the president. They also have the power to try the president and other members of the government in cases of impeachment. These powers place the senators in such close connection with the president that together they will destroy any balance in the government, and do whatever they please with the rights and liberties of the people.
3. The national courts have been given so much power that they can destroy the judicial branches of the state governments by overruling them. If this were to happen, and the only courts available were federal courts, most people would not be able to afford to have their cases heard in these courts, because they would need to travel a great distance. Rich people would have an advantage that would enable them to oppress and ruin the poor.



*What changes in the Constitution would have satisfied George Mason's objections?*

4. The Constitution does not provide for a council to serve as advisers to the president. Any safe and regular government has always included such a council. Such a council would take the place of the Senate in advising the president on appointments and treaties, and the head of the council would take the place of the vice president. Without it, the president will not get proper advice, and will usually be advised by flattering and obedient favorites; or he will become a tool of the Senate.
5. The president of the United States has the unlimited power to grant pardons for crimes, including treason. He may sometimes use this power to protect people whom he has secretly encouraged to commit crimes, and keep them from being punished. In this way he can prevent the discovery of his own guilt.
6. The Constitution says that all treaties are the supreme law of the land. Since they can be made by the president with the approval of the Senate, together they have an exclusive legislative power in this area. This means they can act without the approval of the House of Representatives, the only branch of the legislature that is directly answerable to the people.
7. The Constitution only requires a majority vote in Congress, instead of a two-thirds vote, to make all commercial and navigation laws. The economic interests of the five southern states, however, are totally different from those of the eight northern states, which will have a majority in both houses of Congress. Requiring only a majority vote means that Congress may make laws favoring the merchants of

the northern and eastern states, at the expense of the agricultural interests of the southern states. This could ruin the southern states' economies.

8. Because the Constitution gives Congress the power to make any laws it thinks are "necessary and proper" to carry out its responsibilities, there is no adequate limitation on its powers. Congress could grant monopolies in trade and commerce, create new crimes, inflict severe or unusual punishments, and extend its powers as far as it wants. As a result, the powers of the state legislatures and the liberties of the people could be taken from them.

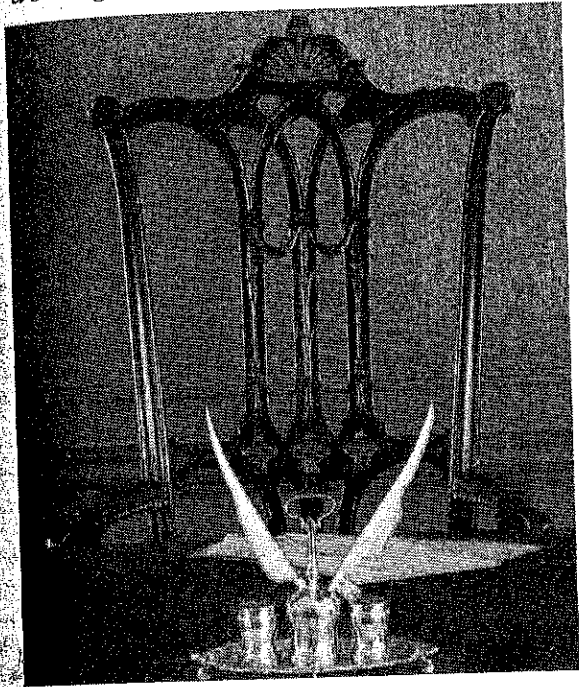
Mason also had made other criticisms of the Constitution during the convention. Some were accepted by the Convention; others were incorporated in the Bill of Rights, which was added in 1791.

### **How did Franklin describe the significance of the convention?**

The final entry that James Madison made in his notes on the convention describes the scene as the delegates were signing the document they hoped would become the Constitution of the United States.

*Whilst the last members were signing it, Doctor Franklin looking toward the President's Chair, at the back of which a rising sun happened to be painted, observed to a few members near him that Painters had found it difficult to distinguish in their art a rising from a setting sun. I have, said he, often in the course of the*

*Session...looked at that [sun] behind the President without being able to tell whether it was rising or setting; But now at length I have the happiness to know that it is a rising and not a setting Sun.*



*During convention sessions, why might Franklin have had trouble telling if the "sun behind the president" was "rising or setting"?*

### What do you think?

1. Describe Benjamin Franklin's attitude toward the Constitution. What reasons did he give for his view?
2. Select one of Mason's objections; identify and describe an event in American history or a contemporary event that provides evidence in support of his objection.
3. Select one of George Mason's objections and explain what remedies our constitutional government provides for the problem he identified. Then take and defend a position on whether the remedy is adequate.

### Reviewing and Using the Lesson

1. Why is the Constitution sometimes described as "a bundle of compromises"?
2. What was Benjamin Franklin's opinion of the Constitution crafted by the Framers?
3. Why did George Mason refuse to sign the Constitution?

## LESSON 16

# What Was the Anti-Federalists' Position in the Debate about Ratification?

### Purpose of Lesson

The people who opposed ratification of the Constitution, which created a federal government, were called Anti-Federalists. To understand their point of view, we will focus on the writings of Mercy Otis Warren, the author of many plays and political pamphlets. The Anti-Federalists' position was based mainly on the ideas that had been discussed for more than 2,000 years about the kind of society that was necessary for a republic. You also learn about the Bill of Rights, one of the most important contributions to our Constitution.

When you complete this lesson you should understand the contributions of Anti-Federalists and be able to explain their arguments.

### Terms to Know

agrarian community  
Anti-Federalists  
diverse community

### How did the Anti-Federalists view the importance of representative government and civic virtue?

Most Americans were very suspicious of government, but the **Anti-Federalists** were especially mistrustful of government in general and strong national government in particular. This mistrust was the basis of their opposition to the Constitution. They feared it had created a government the people could not control.

In general, the Anti-Federalists were older Americans who had grown up believing in the basic ideas of republicanism. These included the idea that in a republic, the greatest power should be placed in a legislature composed of representatives elected by the people of the community. It had always been thought that this kind of representative government would only work in a small community of citizens with similar interests and beliefs, because in such a community it would be easier for people to agree on what was in their common interest.

In addition, it was widely believed that people living in small **agrarian communities** would be more likely to

possess the **civic virtue** required of republican citizens. Living closely together they would be more willing to set aside their own interests when necessary and work for the common good.

The Anti-Federalists understood that the Federalists were proposing a government that was the opposite of this type of republican government. It was large and powerful, it included numerous **diverse communities**, and its capital would be far away from most of the people it represented. The Anti-Federalists believed such a system would inevitably pose a threat to the rights of the people.

Many distinguished Americans were Anti-Federalists. Leaders included George Mason and Elbridge Gerry. Both had attended the Philadelphia Convention but had refused to sign the Constitution. Richard Henry Lee was a leading revolutionary and signer of the Declaration of Independence, but fought against the ratification of the Constitution. Patrick Henry had always opposed the idea of a strong national government; he became a leading Anti-Federalist. Mercy Otis Warren, a playwright, also opposed ratification. She, like the others, wrote pamphlets explaining why she did not support the Constitution. Other prominent Anti-Federalists included Luther Martin, Robert Yeates, and George Clinton.

Many arguments were made both for and against the Constitution. Most of them had to do with three basic questions:

- Would the new Constitution maintain a republican form of government?
- Would the federal government have too much power?
- Was a bill of rights needed in the Constitution?

### What were the arguments of Anti-Federalists?

Mercy Otis Warren was a playwright as well as an Anti-Federalist writer. She is noteworthy because of her unusual ability to enter the man's world of early American politics. Her main criticisms of the Constitution are a good example of the Anti-Federalist position. The Anti-Federalists argued that the Constitution had the following flaws:

- It should have been developed in meetings whose proceedings were open to the public.
- It would undermine a republican form of government.
- It gave too much power to the national government at the expense of the powers of the state governments.
- It gave too much power to the executive branch of the national government at the expense of the other branches.
- It gave Congress too much power because of the "necessary and proper clause."
- It did not adequately separate the powers of the executive and legislative branches.
- It allowed the national government to keep an army during peacetime.
- It did not include a bill of rights.

### Why did the Anti-Federalists fear a strong national government

Warren and the other Anti-Federalists feared that, because of these flaws in the Constitution, the new national government would be a threat to their natural rights. They also thought that the Constitution had been developed by an elite and privileged group to create a national government for the purpose of serving its own selfish interests. Warren and most of the Anti-Federalists thought that the only safe government was one that was

- local and closely linked with the will of the people
- controlled by the people, by such means as
  - yearly elections
  - replacing people in key positions often

### What do you think?

1. How did the arguments of the Anti-Federalists reflect their point of view regarding natural rights, republicanism, and constitutionalism?
2. Why did the Anti-Federalists believe that the Constitution would not be able to maintain a system of republican government?
3. Did the Anti-Federalists have less faith in human nature than did the Federalists? Explain your answer.

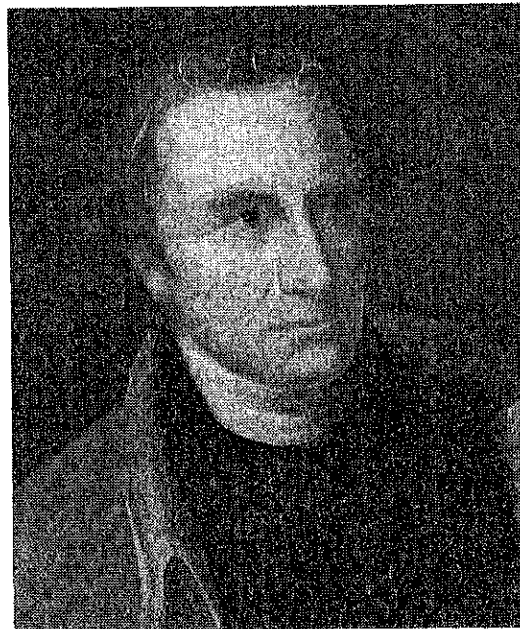
### Should there be a bill of rights?

The lack of a bill of rights proved to be the strongest and most powerful weapon of the Anti-Federalists in their struggle to defeat the Constitution. The most frequent arguments they used were the following:

- The way the government is organized does not adequately protect rights. Only the House of Representatives is chosen directly by the people. The federal government is too far removed from average citizens to care about their concerns. The federal government's power could be used to violate citizens' rights.



Mercy Otis Warren  
(1728-1814)



Patrick Henry  
(1736-1799)

*Why did the Anti-Federalists demand a bill of rights?*

- The federal government's powers are so general and vague that they can be used to give the government almost unlimited power. It can make all laws that are "necessary and proper" to promote the "general welfare." The Constitution allows the federal government to act directly on citizens. Therefore, its powers over citizens are almost unlimited.
- There is nothing in the Constitution to stop the federal government from violating all the rights that are not mentioned in it. Some rights are included and some are not. There is no mention, for example, of freedom of religion, speech, press, or assembly. Since they are omitted from the Constitution, the government is free to violate them.
- A bill of rights would quiet the fears of many people that a strong central government could violate their rights. After all, Americans recently fought a revolutionary war to secure their fundamental rights. They do not want a constitution that places those rights in jeopardy.
- A bill of rights is necessary to remind the people of the principles of our political system. As one Anti-Federalist put it, there is a necessity of "constantly keeping in view...the particular principles on which our freedom must always depend."

### How did the demand for a bill of rights unite the Anti-Federalists?

The Anti-Federalists often disagreed with each other about why they opposed the Constitution, and they were not a well-organized group. They were united, however, in their opposition to the new federal government described in the Constitution. They soon realized that the best way to defeat the Constitution was to use the issue of a bill of rights.

There was a widespread fear of a strong and powerful federal government combined with the belief that a bill of rights was necessary to protect people from government. If people needed to be protected from their relatively weak state governments, they certainly needed protection from the vastly more powerful federal government. In addition, it was easier for the Anti-Federalists to dramatize the lack of a bill of rights than the issues of taxes or the powers of the state governments.

The lack of a bill of rights became the focus of the Anti-Federalist campaign. It was a highly emotional issue for the men and women who had just fought a revolution to secure their rights. In several states, the question of a bill of rights was used effectively to organize opposition to the ratification of the Constitution.



*What do you think are the most compelling arguments for and against ratification of the Constitution?*

Many Anti-Federalist leaders, like George Mason, hoped to defeat the Constitution so that a second constitutional convention would be held. There, the Anti-Federalists hoped, they would have more influence in creating a new government.

### What do you think?

1. What criticism of the Constitution by the Anti-Federalists seems to you the most valid? Why?
2. Would you have voted to ratify the Constitution as it was written in 1787? Why?
3. The original Constitution did not secure equal rights for women. Would you have opposed the Constitution for this reason? Why?
4. Which fears of the Anti-Federalists are expressed today? In your opinion are those fears justified? Why?

### Reviewing and Using the Lesson

1. What objections and concerns did Anti-Federalists have with regard to the Constitution drafted at the Philadelphia Convention?
2. What arguments did the Anti-Federalists make with regard to the need for a bill of rights?
3. How did the Anti-Federalists use the ideas of classical republicanism to support their position?
4. Conduct research on Mercy Otis Warren, George Mason, and other prominent Anti-Federalists and report your findings to the class.

# LESSON 17



## What Was the Federalists' Position in the Debate about Ratification?

### Purpose of Lesson

The people who supported ratification of the Constitution, which created a federal government, were called Federalists. It is important to understand the difference of opinion between the Federalists and the Anti-Federalists. This lesson describes the strategy and the arguments the Federalists used to get the Constitution ratified. These include the concepts of the social contract and consent. You learn that in the larger states, such as New York and Virginia, the debates about ratification were very close and, to get some Anti-Federalist support, the Federalists agreed that when the first Congress was held it would draft a bill of rights to be added to the Constitution.

When you complete this lesson you should be able to explain why the Federalists wanted the Constitution to be ratified in state conventions, the arguments that were used to justify this procedure, and the arguments made by the Federalists in support of the Constitution.

### Terms to Know

- \* Federalists
- ratifying conventions
- The Federalist*

### Why did the Federalists ask voters to approve the Constitution?

The **Federalists** knew that many members of Congress and the state governments were against the new Constitution, largely because it reduced their powers. So the Federalists decided **not** to ask the Congress or state governments to approve the Constitution, even though they were expected to do so.

James Madison developed the plan presented by the Federalists. The plan was to go directly to the voters to get them to approve the Constitution. The Constitution would be presented to special **ratifying conventions** to be held in each state. The delegates would be elected by popular vote of the people for the sole purpose of approving the Constitution. Madison's plan was consistent with the idea in the Preamble to the Constitution that says, "We the People...do ordain and establish this Constitution...."

The Federalists' plan was another example of the social contract idea. The people who were to be governed by the new national government were asked to consent to its creation and obey its decisions. You may recognize this as the method for establishing a government set forth in the natural rights philosophy of John Locke and in the Declaration of Independence. In Jefferson's words, just governments "derive their...powers from the consent of the governed." Some people had argued, for example, that the Articles of Confederation were not valid or legitimate because they had never been presented to the people for their consent.

The Framers at the convention approved this plan for ratifying the Constitution. They included a provision that would put it into effect after being ratified by just nine of the thirteen state conventions.

Once they had agreed on their strategy, the Federalists encouraged their associates in the states to organize the state conventions and elect delegates to them as quickly as possible. They knew the Anti-Federalists had not had enough time to organize their opposition.

The Federalists had worked on the Constitution for almost four months. They knew the arguments for and against it and had gathered support. They thought that if the conventions acted quickly, the Anti-Federalists would have little time to organize their opposition to the Constitution's ratification.

### What methods were used in the struggle for ratification?

Despite the advantages of the Federalists' position, the Anti-Federalists were able to put up a strong fight. The debates in the states over ratification lasted ten months. It was an intense and sometimes bitter political struggle. One of the most difficult fights for ratification was in New York. To help the Federalist cause, three men—Alexander Hamilton, James Madison, and John Jay—wrote a series of essays published in three New York newspapers. They also were used in the Virginia ratification debates and are an important source of information about the conflict over the convention. The articles were not intended to present all sides. Their purpose was to convince people to support the ratification of the Constitution. These essays are now called *The Federalist*. They are considered to be the most important work written in defense of the new Constitution.

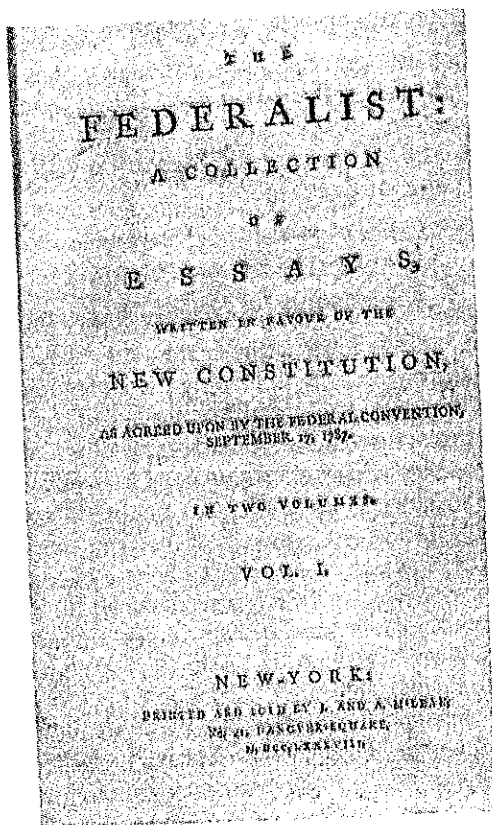


In defending the new Constitution, the writers of *The Federalist* were very skilled at using basic ideas about government that most Americans understood and accepted. They presented the Constitution as a well-organized, agreed-on plan for national government. The conflicts and compromises that had taken place during its development were not stressed in an attempt to present the Constitution as favorably as possible.

### How did the Federalists respond to Anti-Federalists

The Anti-Federalists had some traditional arguments about what made a good government on their side as well. The Federalists were better organized, however. The Federalists' arguments in support of the Constitution claimed that it provided a solution for the problem of creating a republican government in a large and diverse nation. They were able to convince a significant number of people to support their position by the following three arguments:

1. The civic virtue of the people cannot be relied on alone to protect basic rights.
2. The way the government is organized will protect basic rights.
3. The representation of different interests in the government will protect basic rights.



What role did *The Federalist* play in ratification of the Constitution?

The civic virtue of the people could no longer be relied on as the sole support of a government that would protect the people's rights and promote their welfare. Throughout history, the Federalists argued, the greatest dangers in republics to the common good and the natural rights of citizens had been from the selfish pursuit of their interests by groups of citizens who ignored the common good. Therefore, for almost 2,000 years, political philosophers had insisted that republican government was only safe if the citizens possessed civic virtue. By civic virtue they meant that citizens had to be willing to set aside their interests if it was necessary to do so for the common good.

Recent experiences with their state governments had led a number of people to doubt that they could rely on the virtue of citizens to promote the common good and protect the rights of individuals. Many of the state legislatures had passed laws that helped people in debt at the expense of those to whom they owed money. These laws were seen by many as an infringement on property rights that were, after all, one of the basic natural rights for which the Revolution had been fought in the first place.

If the proper working of a republican form of government could not rely on the virtue of its citizens, what could it rely on? How could a government be organized so it would not be dominated by self-interested individuals or factions at the expense of others?

The way in which the Constitution organized the government, including the separation of powers and checks and balances, was the best way to promote the goals of republicanism. A major idea in *The Federalist* is that the national government set forth in the Constitution did not have to rely solely on the civic virtue of the people to protect citizens' rights and promote their welfare. The writers believed that it was unrealistic to expect people in a large and diverse nation, living hundreds of miles apart, to be willing to give up their own interests for the benefit of others.

The Federalists argued that the rights and welfare of all would be protected by the complicated system of representation, separation of powers, and checks and balances provided by the Constitution. They also believed that the method of electing senators and presidents would increase the possibility that they would have the qualities required of good governing officials.

The Federalists took the position that the Constitution's strength was that it provided for different branches of government that would represent the different interests of the people. They also claimed that this complicated system would make it impossible for any individual or faction—or even a majority—to take complete control of the government to serve its own interests at the expense of the common good or the rights of individuals.

The large size of the nation, they argued, would make it particularly difficult for any one faction to attain a majority. Since so many interests and factions would be represented in the national government, it would be less likely that any one of them would dominate.

Some would argue that the system was so complicated that it would be difficult to get anything done, especially if one or more interested and powerful groups objected to something that was being planned. Madison, in *The Federalist*, clearly did not see this as a disadvantage. One of his criticisms of the state legislatures had been that they passed too many laws in the first place. Most of the Framers believed that the best way to prevent a bad law from being passed was to prevent a law from being passed at all.

**The representation of different interests in the government would protect basic rights.** The branches of the national government, the power each had distributed to it by the Constitution, and the interests each was supposed to represent are as follows:

■ **Legislative branch.** The **House of Representatives** would protect the people's **local interests**, since representatives would be chosen from small congressional districts. The **Senate** would protect the people's **state interests**, since it would be elected by state legislatures.

■ **Executive branch.** The **president** would protect the people's **national interests**, since he would be elected by a method that required electors to select him from among leaders who had achieved national prominence.

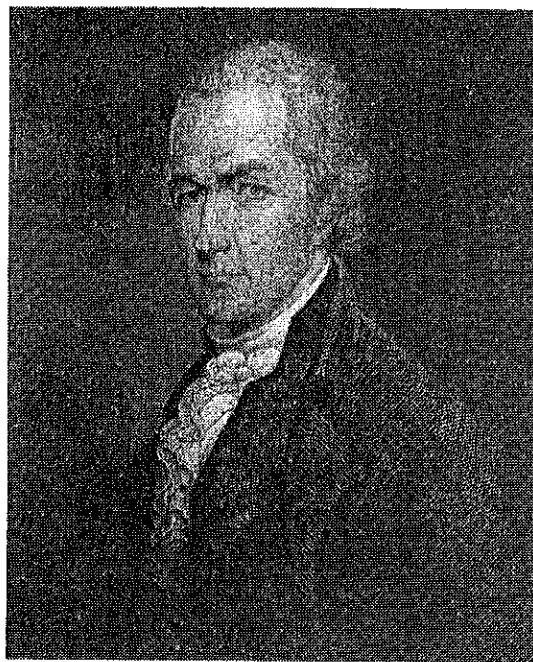
■ **Judicial branch.** The **Supreme Court** would protect the people's **fundamental interests**, since it was independent of political manipulation and therefore responsible only to the Constitution.

### What do you think?

How did the arguments of the Federalists reflect their point of view regarding natural rights, republicanism, and constitutionalism?

Why did the Federalists think they could not rely just on civic virtue to make the new nation work properly? Do you agree?

What effects did the size and population of the new nation have on the positions of the Federalists?



Alexander Hamilton (1757-1804)

### Did the national government have too much power?

The Federalists admitted that the new national government had much more power than the old national government. It had more control over the states, but it was a government limited to enumerated powers. The federal system and checks and balances ensured that those limits would not be violated. As a result, they claimed, the increased powers given to the government under the Constitution could only be used to protect, not violate, the rights of the people. Critics feared that giving so much power to a national government might be a serious threat to their rights and welfare.

### Should there be a bill of rights?

The Federalists used a number of arguments to counter those demanding a bill of rights. The most important of these arguments follow:

■ The complexity of the government and the diversity of the nation protect rights. A large republic makes it nearly impossible for a "majority faction" to have its way.

✓ The Constitution does protect a number of specific rights. These include right to habeas corpus, prohibition of ex post facto laws and bills of attainder, protection against violations of contracts, guarantee in criminal cases of trial by jury in the state where the crime was committed, and protection against accusations of treason by its careful definition.

- A bill of rights is unnecessary in a nation with popular sovereignty. Previous bills of rights, such as the English Bill of Rights, protected people from a powerful monarch over whom they had no control. Under the Constitution, the people have the power to remove elected officials from office. The protections of such bills of rights are therefore unnecessary under the Constitution.
- The Constitution does not give the federal government the power to deprive people of their rights. It gives government only limited powers to do specific things—enumerated powers. There is no need to list rights that the government has no power to violate.
- Declarations of rights are ineffective and dangerous. Most state constitutions are prefaced with bills of rights, but these bills did not stop state governments from violating citizens' rights. No state had a comprehensive list of rights, that is, a bill that listed all the rights that were protected. Apparently as a result, some state governments felt free to violate important rights unlisted in their bills. Since it is impossible to list all rights, it is better to have no list at all. Government officials might feel free to violate unlisted rights.

Despite these arguments, the Federalists found it necessary to agree to the Anti-Federalists' demands for a bill of rights.

### Why did the Federalists give in to the demand for a bill of rights?

The Federalists worked hard to overcome the objections of the Anti-Federalists. By June of 1788, nine states had voted to ratify the Constitution. New Hampshire was the ninth and last state needed to make the Constitution the highest law of the land. The important states, New York and Virginia, had not yet approved the Constitution. The debates were very close in these states because of the fear of creating such a large and powerful national government.

Finally, a compromise was reached. To get some Anti-Federalists to support the Constitution, the Federalists agreed that when the first Congress was held, it would draft a bill of rights to be added to the Constitution. The bill was to list the rights of citizens that were not to be violated by the federal government. The Federalists insisted that the bill of rights include a statement saying that the list of rights should not be interpreted to mean that they were the only rights the people had.

The Federalists' agreement to sponsor a bill of rights reduced much of the Anti-Federalists' support. It deprived the Anti-Federalists of their most powerful weapon. In some states, Massachusetts for example, the agreement was enough to win a close ratification vote, 187 to 168. Then, at last, New York and Virginia also voted for ratification. The Anti-Federalists had lost their battle to reject or revise the Constitution but they had won an agreement to add a bill of rights.

The Federalists deserve the credit for writing the Constitution, which created our present form of government. The debate resulting from the Anti-Federalists' objections to the Constitution resulted in the addition of the Bill of Rights. The Bill of Rights has proved to be vitally important to the protection of basic rights of the American people and an inspiration to many beyond America's shores.

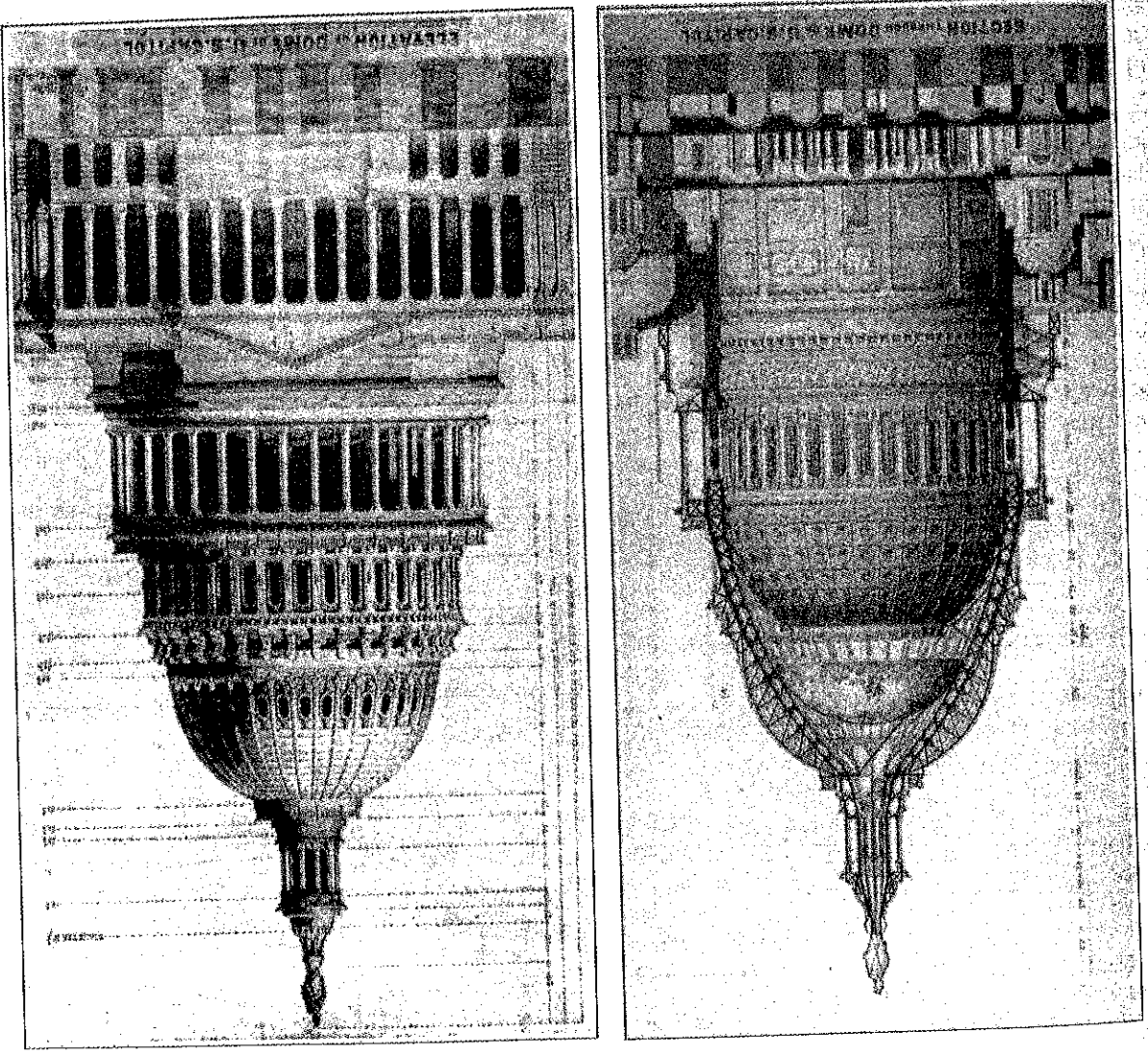
### What do you think?

1. Explain the Federalists' argument that the Constitution did not need a bill of rights. Do you agree with their position? Why or why not?
2. Why do you think the Framers protected certain rights in the body of the Constitution and not others?
3. What do you think were the most important reasons put forth by the Federalists to support the Constitution in 1787? What do you think were the least important reasons?

### Reviewing and Using the Lesson

1. Why did the Federalists propose that the Constitution be approved by ratifying conventions in each state, rather than by Congress or by the state legislatures?
2. What tactics did the Federalists employ to win the struggle for ratification of the Constitution?
3. What is *The Federalist*? How and why was it written?
4. What arguments did the Federalists make to support the ratification of the Constitution?
5. What arguments did the Federalists make to resist the demand for a bill of rights? Why did they eventually give in to this demand?
6. Prepare a report for the class in which you explain why Rhode Island took so long to join the Union under the Constitution.

# Unit Three: How Did the Values and Principles Embodied in the Constitution Shape American Institutions and Practices?



<p><b>1780s</b></p> <ul style="list-style-type: none"> <li>First Congress (1789)</li> <li>Judiciary Act of 1789</li> <li>George Washington inaugurated (1789)</li> <li>Bill of Rights ratified (1791)</li> <li>First Bank of the United States (1791)</li> </ul>	<p><b>1790s</b></p> <ul style="list-style-type: none"> <li>Alien and Sedition Acts (1798)</li> <li>Marbury v. Madison (1803)</li> </ul>	<p><b>1800s</b></p> <ul style="list-style-type: none"> <li>Washington becomes permanent national capital (1800)</li> <li>Washington lays cornerstone for the U.S. Capitol (1793)</li> </ul>	<p><b>1810s</b></p> <ul style="list-style-type: none"> <li>Second Bank of the United States (1819)</li> <li>McCulloch v. Maryland (1819)</li> <li>Connecticut bans property qualifications for voting (1818)</li> </ul>	<p><b>1820s</b></p> <ul style="list-style-type: none"> <li>Gibbons v. Ogden (1824)</li> <li>The Monroe Doctrine (1823)</li> </ul>	<p><b>1830s</b></p> <ul style="list-style-type: none"> <li>Barron v. Baltimore (1833)</li> <li>The Anti-Masonic party holds the first national nominating convention for president and vice president (1831)</li> </ul>
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## Purpose of Unit

In this unit you learn how the government was organized under the Constitution. You also learn how the Bill of Rights came to be added to the Constitution. In addition, we highlight some unexpected developments that have had a significant influence on the way our nation is governed today.

The Constitution was a plan for creating and operating the new government. It described the organization of the national government, its powers, and the limits on it. It is important to understand that the Framers had purposely written the Constitution as a general framework for the government. They left out many details they knew would have to be added in the future.