Unit 3

# The Constitution Period 1780-1800

The Political Foundations of a New Nation



## **Unit Overview**

The period 1780-1800 is challenging for students because they tend to lack basic knowledge and interest in politics and the role the government plays in our society. Many students find the study of politics boring and irrelevant. The challenge for the teacher in this unit is to make this period interesting for students while simultaneously laying a foundation for the study of the Constitution that will be used throughout the U.S. History course. To this end, a hands-on, active approach is utilized to teach political concepts. Students are asked to consider contemporary political issues that are connected to historical themes as related to the period 1780-1800.

#### **Critical Thinking**

This unit takes the approach of using contemporary examples to convey historical political concepts. To understand complicated issues such as the development of our political system requires specific activities that actively engage the students. Critical thinking requires the student to apply contemporary issues to historical events such as the rise of political parties and the role of the Supreme Court. The analysis in this unit requires the student to understand why events occurred. **Analysis** is required over **description**. Describing simply means that the student is restating what happened. Analysis is an explanation of why the historical issue occurred.

#### **Decision Making**

In its most basic form government represents a series of individual decisions people make about how to organize a society. This unit serves to introduce the general idea of why government even exists in a society and how individual decisions translate into defining a government. In lesson #1 on the island simulation, 3 components of decision making concepts are explored. The students need to **frame** the issue about how to survive on the island, gather **information**, consider **information** about specifics of the island, and consider **alternatives**. In lesson #2 on the Articles of Confederation, students consider the **frame**, **information**, and **alternatives** presented to the Founding Fathers who had to decide to alter the current government or create a new government. Lesson #3 on the Constitution looks closely at the **values** that were evident in establishing the Constitution. In Lesson #4 students consider the **sound reasoning** involved in some of our most controversial contemporary issues. Lesson #5 on the rise of political parties, students consider their own political **values** and analyze the values inherent in the first political parties. In lesson #6 on the Federalist/Anti-federalist debate the students explore the **alternatives** available to the Founding Fathers as they represent their political views.

#### The Lessons

#### Lesson #1: The Island Simulation

This initial lesson asks students to simulate being deserted on an island. They need to make critical decisions about what type of government they would create to survive on the island.

#### **Lesson #2: The Articles of Confederation**

Students consider if they would amend the Articles of Confederation or create a new government.

#### Lesson #3: Basics of the Constitution

The students look at basic ideas presented in the Constitution and consider the values evident in the Constitution

#### **Lesson #4: Interpreting the Constitution**

Students look at what the Constitution says about contemporary controversial issues in American culture

#### **Lesson #5: The Rise of Political Parties**

Students complete a contemporary political survey to consider their own political views

#### Lesson #6: The Federalist/Anti-Federalist Debate

Students research and debate the major issues that created the first political parties

#### **Comments on the Lessons**

| Lesson | Used | Not Used | Comments or Suggestions on the Lesson |
|--------|------|----------|---------------------------------------|
|        |      |          |                                       |
| #1     |      |          |                                       |
| #2     |      |          |                                       |
| #3     |      |          |                                       |

#### Unit 3: The Constitution Period 1780-1800

| #4 |  |                              |   |
|----|--|------------------------------|---|
| #5 |  |                              |   |
| #6 |  |                              |   |
|    |  | General Comments on the Unit |   |
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#### Lesson #1

## The Island Simulation



This initial lesson in the Constitution Unit is focused on reinforcing the need and usefulness of a federal government. The Island Simulation is designed as an exercise where the students will need to define and operate some form of governance structure in order to survive on a deserted island. This exercise sets the framework of basic governance, its challenges in gaining agreement on what to do and on what decisions need to be made to enable a government to function. With this foundation, the students will then move into the succeeding lessons which develop the issues facing our nation's founders as they established a republic after separating from England.

A second focus of the Island Simulation is to emphasize the essential and important role of making decisions, especially good decisions that have a strong possibility of generating a good outcome. The principles of decision making are defined in the material and will enable the students to use these principles in defining how to govern their activities while on the Island. In addition to reinforcing good decision-making concepts, this lesson is an excellent way to lead a discussion about human nature, how political power has been formed throughout history, and how some form of government is essential in a society. How people make decisions about the government and how the government makes decisions about how to deal with its citizens is vitally important to understand how a society functions. Once we have established that government is necessary we begin to discuss why government even exists in societies. Later lessons will analyze the specific type of government established in America in the late 18<sup>th</sup> century.

#### The Lesson

- 1. Explain to the students that we are pretending that the entire class was enjoying an ocean field trip when suddenly the boat got blown off course. The vessel was demolished. All students have survived and you have found yourself on a deserted island. All communication with the outside world is no longer possible. There appear to be no other inhabitants on the island. You have no idea how long you could spend on this island. No supplies from the boat were saved. You have to figure out how you are possibly going to survive.
- 2. Refer to the sheet, *Elements of a Good Decision* in the Introduction unit. Also, pass out the sheet, *Surviving on the Island*. Emphasize that in this case good decisions are absolutely necessary to ensure their survival. Further, explain that you have completed the **FRAME** by placing them on the island, shipwrecked, abandoned on an uninhabited island, without food, water and other basic supplies. Their frame is to survive using their own skills. One option is to

organize them into groups of five to answer the questions in Student Handout B. A second option is to make this a whole class exercise. Once you pass out the sheet you can use the decision-making concepts to ask the class to answer the questions about how they will organize themselves on the island. Indicate that they should start with the questions addressing the need for **INFORMATION**. Ask each team to take 15 minutes and then to specify the five most important pieces of information that need to be collected.

- 3. At the end of the 15 minutes, ask each team to contribute one piece of information they would like to collect, write these on the blackboard asking one team after another to list one idea until all ideas are exhausted.
- 4. If time permits, reconvene the teams and ask each team to develop the **ALTERNATIVES** of how to organize the entire group to do the tasks identified from the information list. Or, this activity can be done in the second class. Hand out the sheet, *Some Types of Government throughout History* to consider how the idea of government has played out throughout history. Emphasize that they should think of what type of government will get the tasks done, fastest, best and will help make survival more likely and rescue more likely. You can also refer to the sheet, *Discussion on the Role of Government* to analyze why government is a necessary component of any society.

#### **Supplementary Lesson on the Island Simulation**

5. You can end the lesson by referring to *The Decision Checklist* to ask students to rate the effectiveness of the decisions on the island.

#### Surviving on the Island

Use the handout, *Elements of a Good Decision* to consider how to survive on the island.

#### The Frame

The entire class was enjoying an ocean field trip when suddenly the boat got blown off course. You are now shipwrecked, abandoned on an uninhabited island without food, water and other basic supplies. The vessel was demolished. All students have survived and you have found yourself on a deserted island. All communication with the outside world is no longer possible. There appear to be no other inhabitants on the island. You have no idea how long you could spend on this island. No supplies from the boat were saved. The island is tropical and rainy with plenty of fruit trees. You must survive using your own skills.

#### **Information**

1. What are the 5 most important pieces of information you need to consider to survive on the island?

#### Alternatives, Values, Sound Reasoning, and Commitment to Follow Through

- 2. What activities or jobs are essential for us to survive on this island?
- 3. Once we've listed the jobs, who is interested in doing what job and who has the right skills for each job?
- 4. Which one of us should decide what jobs are to be done and who does them or should we form some type of committee or organization to decide on what to do and how to do it?
- 5. If we form a committee or organization, do we need leaders for each type of job, activity or function? Do we need a central, one powerful leader? If so, how do we select them? Should we let people do what they want? Should we let people with leadership skills decide what we do and who does it? Should we use an open voting process?
- 6. How will we know if we have all the right jobs and activities to survive?
- 7. How will we resolve questions and problems that arise that affect our comfort, our safety, our survival?
- 8. How do we decide what role and set of responsibilities each person has on the island?
- 9. What do we do about certain individuals who may not want to cooperate with the group?
- 10. What incentive do I have to listen to what the rest of the group wants?

## **Some Types of Government in History**

Totalitarianism-One group has total power. No other competing political groups are tolerated

**Theocracy**-system where absolute power is given to a person thought to be a divine ruler

**Aristocracy**-a wealthy class rules the government based on their own interests

**Dictatorship-**one ruler who possesses absolute power

Monarchy-a king or queen inherits political power

Constitutional System-powers are defined and limited by a written constitution

**Federalism-**an agreement between several states and a central government where political power is shared

Republicanism-elected officials exercise power given to them by individual citizens

**Representative Democracy**-political power is given to individual citizens who elect representatives on their behalf

#### Discussion on the Role of Government

- After the students have finished deciding how they will organize themselves on the island, ask
  the students to talk about why their plan to ensure survival on the island was successful or not
  by using the good decision checklist. Please ask the class to rate on a scale of 0% to 100% each
  of the six elements.
- 2. How would their plan work if there were a hundred students on the island? What if there were a thousand people on the island? As more and more people live on the island, is the need for a more sophisticated government necessary?
- 3. Do human beings need government to ensure our survival or could we survive without some type of authority that limits the decisions we make?
- 4. What would this school be like if there were no authority or rewards or punishments set up? In other words, you would be in charge of your own education. Would anyone learn anything?
- 5. Can you make good decisions for yourself if you have total freedom to do whatever you want?
- 6. If we agree that government is necessary, we need to figure out what type of government works best. Please refer to the handout entitled, "Types of Government Throughout History." You can emphasize the fact that the last four types of government are used in the United States.

#### The Decision Checklist



You should look at your list of decisions developed in response to question number 10. For each decision, you should ask if we reached a good level of quality on each decision element by using the checklist below.

For example, how would you rate your decision on how to secure your food supply?

| <b>Decision Element</b>  | Decision Rating |     |      |
|--|-----------------|-----|------|
| Frame of the decision  | 0%              | 50% | 100% |
| Useful Information   |                 |     |      |
|  | 0%              | 50% | 100% |
| Creative Alternatives  |                 |     |      |
|  | 0%              | 50% | 100% |
| Clear Values   |                 |     |      |
|  | 0%              | 50% | 100% |
| Sound Reasoning  |                 |     |      |
| , and the second | 0%              | 50% | 100% |
| Commitment to  |                 |     |      |
| Follow Through   | 0%              | 50% | 100% |

In rating the decisions from the list generated from question number 10, 0% indicates you did not consider this element at all while 50% indicates moderate attention and 100% indicates that you did a lot of work on this and any additional work would not be worth the effort. How did you do? Did all elements get some attention, some consideration or did you spend too much time on one part of the decision?

## **Supplementary Lesson on the Island Simulation**

Class Discussion and Checklist Ratings - Overview

- 1. The discussion should revolve on how each team solved the problem of how to survive on the island.
- 2. What frame did each team develop to define the problem as they understood it? Was the frame a good starting point for each team? Rate, with the rest of the class, the frame on the scale of 0% to 100%.
- 3. What information did each team decide to collect or use? Was the information complete and address the essential issues like is there fresh water on the island and where is it? Which area on the Island is the best campsite? Rate, with the rest of the class, the quality of the information on the scale of 0% to 100%.
- 4. What alternatives did each team consider on the important decisions? Were the alternatives complete or did the team miss some good alternatives? Rate, with the rest of the class, the quality of the alternatives on the scale of 0% to 100%.
- 5. What values were developed to determine which alternative to select on the important decisions? Were the values actually used to make the decisions or were other considerations more important? Rate, with the rest of the class, the quality and usefulness of the values on the scale of 0% to 100%.
- 6. Was the reasoning process used by each team satisfying to the team members and did the process include discussion and dialogue on framing, information, alternatives and values? Rate, with the rest of the class, the quality of the reasoning process on the scale of 0% to 100%.
- 7. Did each team act on the decisions they made? What was the evidence of their actions and were the actions consistent with the decisions? Rate, with the rest of the class, the quality of commitment to act on the scale of 0% to 100%.

#### Lesson #2

## The Articles of Confederation

#### **Background of the Period**

The 1780s was filled with a variety of political problems for the young nation. The Articles of Confederation was a loosely structured government that was set up in 1781 to primarily address the issues surrounding the Revolutionary War. When the war ended in 1783 the leaders of the new nation were confronted with a series of problems that forced them to consider either amending the current government or creating an entirely new government.

The goal of this lesson is to present students with a challenge of deciding if they would vote to scrap an existing government in order to create a new government. Students should recognize that some decisions in the study of history had sweeping consequences. Dismantling a government and replacing it with another is obviously a major issue. We will frame the events that led to the Constitutional Convention by looking at the weaknesses of the Articles of Confederation and consider how to make a decision between two alternatives that is reasonable and based on good information.

#### **Connection to Decision Making**

- The 1780s is a good study in how leaders of a country make decisions during a time of crisis.
  The study of history often allows us to consider how decisions were made based on a specific historical framework. Once the *frame* is established in terms of a time period and specific challenges evident in the period, we can assess what options were available to the leaders of the nation and ultimately assess if their decisions were valid or not.
- The students should be able to assess if the *information* is sufficient to determine that the
  Articles of Confederation were enabling an effective form of government. If not, is the
  information complete in terms of what was not working?
- The students should be able to make a decision based on the *alternatives* (1) to amend the Articles of Confederation or (2) to scrap the Articles to create a new government.

#### The Lesson

1. This lesson may take only about 20-30 minutes. You can begin by using the map and notes from the Colonial Period *Characteristics of the Original 13 Colonies*. You can also pass out the sheet on *The Strengths and Weaknesses of the Articles of Confederation, The Impact of Shay's Rebellion, and Considering the Alternatives*. The students should use the information from these sheets to answer the questions on the Alternatives sheet. The ultimate goal is for the students to arrive at a reasonable conclusion to amend or replace the Articles of Confederation. At the end of the class period some students can offer their response to question #7 on the Alternatives sheet. This is a good exercise in helping students write a thesis statement that is reasonable and based on sound evidence.

## The Strengths and Weaknesses of the Articles of Confederation

The Articles of Confederation are considered the first government of our country. The delegates of the Second Continental Congress hammered out a loose alliance among the 13 states while the Revolutionary War was being fought. It took 5 years to ratify this form of a government because it required the consent of all 13 states. Finally, in 1781 the Articles came into effect. Some provisions under the Articles of Confederation are listed below:

- The Articles made no provision for a president to oversee the country
- People were not allowed to move out West under the Northwest Ordinance
- Every state, no matter how large or small, had one vote each on national issues.
- Each state had its own separate court system
- The federal government did not regulate trade between states
- The government did not settle boundary disputes between states
- The government did not have the power to tax the states
- Each state had its own currency
- The government needed to pay back its debts to French banks and wealthy Americans who loaned the government money during the Revolutionary War
- In 1786 Daniel Shay's led a rebellion against the existing government (refer to document)

## The Impact of Shays Rebellion

#### **Background to Shays Rebellion**

In 1786 Daniel Shays, a farmer from western Massachusetts and a Revolutionary War veteran led a small rebellion of other farmers who demanded cuts in property taxes and a postponement of farm foreclosures. In August 1786 a thousand farmers in Northampton County shut down the local courthouse. In January 1787, Shays and his followers attacked the federal arsenal at Springfield. The rebellion convinced national leaders that a stronger federal government was needed to put down such rebellions. The following excerpt is an account of the response to the rebellion:

## A Proclamation

"Whereas information has been given to the Supreme Executive of this Commonwealth, that on Tuesday last, the 29th of August, being the day appointed by law for the sitting of the Court of Common Pleas and Court of General Sessions of the Peace, at Northampton...a large concourse of people, form several parts of that county, assembled at the Court-House...many of whom were armed with guns, swords, and other deadly weapons, and with drums beating and fifes playing, in contempt and open defiance of the authority of this Government, did, by their threats of violence and keeping possession of the Court-House until twelve o'clock on the night of the same day, prevent the sitting of the Court, and the orderly administration of justice in that county:

And whereas this high-handed offence is fraught with the most fatal and pernicious consequences, must tend to subvert all law and government; to dissolve our excellent Constitution, and introduce universal riot, anarchy, and confusion, which would probably terminate in absolute despotism, and consequently destroy the fairest prospects of political happiness, that any people was ever favoured with:

I have therefore thought fit, by and with the advice of the Council, to issue this Proclamation, calling upon all Judges, Justices, Sheriffs, Constables, and other officers, civil and military within this Commonwealth, to prevent and suppress all such violent and riotous proceedings....

And I do hereby, pursuant to the indispensable duty I owe to the good people of this Commonwealth, most solemnly call upon them, as they value the blessings of freedom and independence, which at the expense of so much blood and treasure they have purchased--as they regard their faith, which in the sight of God and the world, they pledged they would not disappoint the hopes, and thereby become contemptible in the eyes of other nations, in the view of whom they have risen to glory and empire--as they would not deprive themselves of the security derived from well-regulated Society, to their lives, liberties, and property; and as they would not devolve upon their children, instead of peace, freedom and safety, a state of anarchy, confusion and slavery.... i

-James Bowdoin, 1786

## **Considering the Alternatives**

Should the Articles of Confederation be amended or replaced by a new government?

To answer the question above, consider some factors that the Founding Fathers faced in deciding between the two alternatives of amending or replacing the Articles of Confederation.

| 1.       | Use your map of the original 13 colonies and the sheet from the Colonial Period unit on the characteristics of the original 13 colonies. Write one general characteristic about the culture of the colonial period as related to each category below: |
|----------|---|
| Politica | I Economic Social   |
|          |   |
| 2.       | Do the strengths and weaknesses of the Articles of Confederation connect with the 3 characteristics you mentioned above?  |
| 3.       | Did Shays Rebellion force the Founding Fathers to jump to conclusions about the weakness of the current government? Why would Shay's Rebellion be such a threat to the current government?  |
| 4.       | Could the Founding Fathers possibly have amended the old government or were there too many issues to overcome?  |
| 5.       | Based on the background of the Founding Fathers, were they biased in any way in deciding to create a new government? Were they representing their own interests more than the interests of the common people? Explain.                                |
| 6.       | What are the uncertainties or risks involved in scrapping the old government and creating a new government?   |
| 7.       | On what basis would you vote to amend or replace the Articles of Confederation? Write your answer in a 1-2 sentence response.   |
|          |   |

#### Lesson #3

## **Basics of the Constitution**

#### **Background of the Period**

The Constitutional Convention convened in the summer of 1787 to create a new government. The debates and compromises that resulted from this convention represented many of the values of the framers of the Constitution.

#### **Objectives of the Lesson**

- The goal of the lesson is to help students recognize the role of values and what values became inherent in the establishment of the Constitution.
- In order to recognize whom the Constitution represented and what values were inherent in the Constitution, student's needs to familiarize themselves with basic information contained in the Constitution.
- After gathering information on the Constitution, students should write a clear thesis statement about what kind of values were evident in the formation of the Constitution.

#### **Connection to Decision Making**

*Values* were part of the fabric that formed the Constitution. In the mind of each delegate to the Constitutional convention, they brought their values with them and those values became the source of great debates such as the power of the federal government compared to the power of individual states. Alexander Hamilton valued a strong central government while Thomas Jefferson valued that power be decentralized and that considerable power should reside with the individual states. Recognizing what values arise out of decisions people make in any historical time period is a critical component to the study of U.S. History. Analyzing values from decisions people make in history helps us assess our own values. When it comes to politics, our values represent a point of view and, in most cases, that value is shared by other groups of people.

#### The Lesson

1. Pass out the question sheet on *The Basics of the Constitution*. To answer the questions, each student should have a copy of the Constitution.

#### The Basics of the Constitution



Please read sections on the Constitution designated below to answer the following questions:

#### I. Preamble

1. Please read the Preamble in the Constitution. What do you perceive as being the main role of government according to the Preamble? What is meant by "general welfare" and "blessings of liberty?"

#### **Article I: Legislative**

2. What is the primary purpose of the legislative branch of the federal government?

#### How a bill becomes a law:

3. Please diagram the process based on Article I Section 7 of the Constitution. Why is it so difficult in the Constitution for a bill to become a law?

#### **House of Representatives and the Senate**

4. What are the basic differences between these legislative bodies?

| Article II | : | Exe | cutive |
|------------|---|-----|--------|
|------------|---|-----|--------|

| Article | 5. According to the Constitution, what is the primary role of the President?   |
|---------|--|
| College | 6. Describe the process by which the president is elected. What is the role of the Electoral ?   |
|         | 7. In your opinion, is the president given too much power or not enough? Explain.  |
|         | II: Judiciary What is the primary function of the Judicial Branch of government?   |
|         | V: Interstate Relations  9. Why would the federal government taking economic power away from the states be red so radical?                   |
|         | 7: The Amendment Process 10. Why is the ability to amend the Constitution such an important part of maintaining a stable federal government? |

| Article VI: | Supremacy | y Clause |
|-------------|-----------|----------|
|-------------|-----------|----------|

11. In your own words, what does this clause mean?

#### **Article VII: Ratification**

12. What is significant about this particular article?

#### **Amendments to the Constitution**

13. What was so significant about the Bill of Rights, the first ten amendments to the Constitution?

#### **Separation of Powers**

14. Separating the government into different powers makes it extremely difficult to make radical changes in the government. What was the main reason for creating a government where "a state of constant frustration" is likely to occur? Is this the best or worst component about our government system?

#### **Checks and Balances**

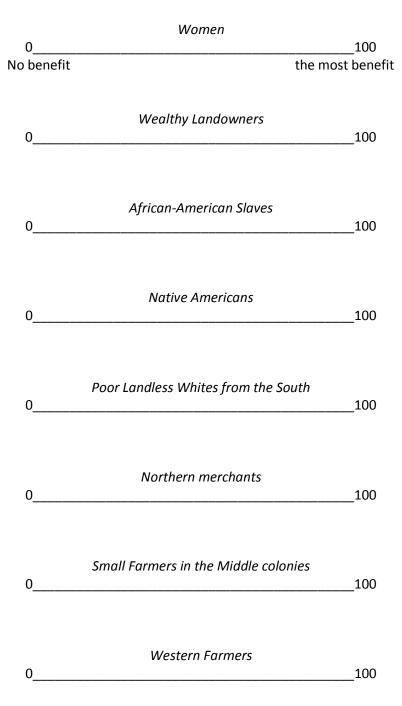
15. Why is it important for a president to pass most of his proposals with this system of checks and balances?

16. Who seems to have the most power in our government---The Executive, the Legislative, or Judicial branch? Why would this branch have the most power?

| 17. What is the real relationship between the Judiciary and Congress? |
|---|
| 18. What is the relationship between the Judiciary and the President? |
|   |
|   |
|   |
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|   |
|   |

#### Who Benefited from the Constitution?

A desirability scale is a way of measuring values. The higher the number, the more value is placed on the issue or group. You are now going to try to place a value from a scale of 0 to 100 on how the Constitution benefited the following groups. Decisions in government effect different groups in different ways. When the Constitution was formulated in 1787, certain groups received much more benefits than others. Based on your reading of the Constitution, write down on the scale how much each group below benefited from the Constitution in the 1790s.



## What type of values came out of the Constitution?

Please answer the questions below to determine if a good government was established during this period.

| 1. What was possibly sacrificed in order to get the Constitution passed during this period?   |
|---|
| 2. Was a democracy established? If so, what kind of democracy?  |
| 3. Was trust in the Government established?   |
| 4. Did they balance power between the state and federal government?   |
| 5. Did any single branch of the government have too much power? Could a military be given too much power?   |
| 6. Did the Constitution address the issue of slavery?   |
| 7. Did the Constitution create a sound economy and create opportunities for settlers to move out West?  |
| 8. Did a majority of people in the country at that time benefit from the Constitution?  |
| Framing a Perspective on the Constitution in the 1790s When you frame an issue in history, you give a single thesis statement that states your overall perspective on an issue. Please write a 1-2 sentence thesis statement what values came out of the Constitution |
|   |
|   |
|   |

#### Lesson #4

## Interpreting the Constitution

One of our goals in the study of history is to help students make historical connections to contemporary issues. Many contemporary issues are obviously quite complicated. In appropriate situations we can use contemporary issues to emphasize a historical concept. In this case, we emphasize the fact that the Constitution can be interpreted in many different ways. The role of the Supreme Court is to ultimately decide how to interpret a controversial issue in a given time period. It is difficult for students to recognize the complexity of certain issues in a historical period. Using contemporary issues that are controversial helps students appreciate the role of the Supreme Court and the difficulty we face in deciding how to interpret controversial issues.

#### **Critical Thinking and Decision-Making**

The study of history provides opportunities for students to learn how to use useful information to support a position. Respecting a position about an issue that is different than one's own perspective is an important part of becoming tolerant as an individual and more aware of the complexities of issues. The Constitution is used throughout our history to interpret and justify positions on a variety of controversial issues. The primary objective of this lesson is to create a debate on a contemporary controversial issue. Using the Constitution as the basis of the issue, we help the students learn how to research relevant information on their topic and figure out how to frame a body of information into a thesis statement. In so doing, the students learn to recognize how the Constitution can be interpreted in different ways to uphold a particular position.

Organizing information is essential in decision making. Assembling information around an important and possibly controversial topic will involve several key decision principles:

- ➤ Information to define the issue so its complexity and relevance to the people is clear. Information should include the uncertainty surrounding the issue such as how the course of action may impact U.S. citizens
- ➤ **Alternatives** are what individuals can do or what actions are likely to be most effective and acceptable. For each issue in this exercise, the students are requested to take the alternative as stated or oppose the alternative as stated. The expected consequences of each alternative position should be considered.
- Values are what individuals prefer in an alternative and what they believe are the values of others who must agree and accept their preferred alternative.
- Sound reasoning to develop a persuasive and compelling argument to convince others on the students' proposed course of action.

Students can learn about decision making by researching relevant useful information to their topic. Distinguishing between useful and irrelevant information is a vitally important component of decision making as related to the study of history. Useful information becomes necessary to understand the complexity of issues. The information derived from the research allows the student to frame a position that is defensible and clear. The students are also asked to consider other alternatives for how to interpret their topic.

#### The Lesson

- 1. This particular lesson may take several class periods. The lesson requires brief research and time for the teacher to allow 2 student groups to debate the topic in class. Students can be divided into groups of 2-8 per topic depending on the size of the class. Each student group will research at least one article that helps support their position. Other controversial topics can be added to the list based on the discretion of the teacher.
- 2. Pass out the handouts *Interpreting the Constitution, Researching Your Topic*, and *Presentation to the Supreme Court*. The teacher can decide if you want to select students to represent Supreme Court justices who will vote on each controversial issue after the debate. Give the students 1-2 class periods to research their topic. It is vitally important that in their research that the students begin to recognize how to distinguish between important and irrelevant information and to consider alternative solutions and to recognize the values they seek to emphasize in their proposed solutions.
- 3. Plan for 1-2 class periods to present the topics in class using the format suggested in Presentation to the Supreme Court. The students are presenting to other members of the class who represent the Supreme Court.
- 4. At the end of the presentations, follow up with a discussion about how the Constitution is used throughout our history to interpret controversial issues such as slavery, citizenship, states' rights, and the power of the federal government as related to the period 1780-1800.

Docition A

### **Interpreting the Constitution**

Your task is to research and defend a controversial modern day issue which deals with our Constitution. A group of students will be assigned to each issue. Half of the students need to defend the interpretation below. The other half need to oppose the issue. Each studentin your group is responsible to look up at least one article which addresses your issue. You must read your article and explain how your issue should be interpreted based on the Constitution. The final aspect of the project will be to present your case before the Supreme Court.

#### **Health Care**

| Position A                                   | Position B  |
|--|---|
| Every American has a right to health care no | Health care is too expensive to guarantee for every |
| matter what it costs                         | citizen   |

#### The Right to Bear Arms

| Position A   | Position B                                      |
|--|---|
| Every American citizen 18 or older should have the | Gun ownership should be extremely restricted by |
| Right to own a gun                                 | the federal government                          |

#### **Abortion**

| Position A                                       | Position B                                    |
|--|---|
| The U.S. government should make abortion illegal | Abortion should be legal in all circumstances |
| except when a mothers' life is in danger         |   |

#### **Internet Censorship**

Docition D

| Position A                                      | POSITION D                                     |
|---|--|
| The government should be allowed to censor      | The government should not restrict any kind of |
| information on the internet which is considered | information over the internet                  |
| dangerous to the public                         |  |

#### Legalizing Marijuana

| Position A  | Position B                                  |
|---|---|
| Marijuana should be legalized for anyone over the | Marijuana should continue to remain illegal |
| age of 18   |   |

#### **Gay Marriage**

| Position A                                  | Position B                         |
|---|------------------------------------|
| The federal government should recognize gay | Gay marriage should remain illegal |
| Marriage on the same level as heterosexual  |                                    |
| marriage                                    |                                    |

## **Researching Your Topic**

Finding useful information on your topic is vitally important to making a clear decision on your controversial issue. After you find the most relevant information on your topic, please meet with your partner(s) to go over the questions below. Please remember that more specific information is much better than general information.

| 1. | What specific information you are gathering relates best to the position you are taking on your issue? |
|----|--|
| 2. | What examples are you going to use to support your position?   |
| 3. | How does your decision on the topic specifically affect citizens in the U.S.?                          |
| 4. | What are the different alternatives on how to interpret the issue?                                     |
| 5. | How reliable are your sources? Questions to ask about information:  • Who is offering the information? |
|    | What are their qualifications/experience/motivations?  |
|    | Where did they get their facts/reasoning?  |
|    | When did they get this information?  |
|    | <ul> <li>Why are they giving you this information?</li> </ul>  |

|    | How common is this viewpoint?  |
|----|--|
|    | <ul> <li>Are the sources possibly biased in any way?</li> </ul>  |
| 6. | What do you think is the likelihood that our country will change our thinking to adopt your position? Please check one of the degrees of likelihood below:  Likely Highly likely Extremely likely Good chance Sure thing Odds on Probable Possible |
|    | ☐ Virtually certain  |

#### **Presentation to the Supreme Court**

Each group will present before the Supreme Court. Your goal is to convince the Supreme Court that the Constitution supports your position. You need to use both your supporting evidence and sound reasoning skills to convince the Supreme Court, represented by the rest of the class, that the Constitution supports your position.

#### **The Format**

- 1. Opening argument by team A (5 minutes)
  - a. Include your basic proposition
  - b. Include any statistics that your group have found in your research
  - c. Include any relevant facts or events that support your position
  - d. Address the question, "How does your issue promote the general welfare of society?"
- 2. Cross-Examination by team B representing the opposite viewpoint (3 minutes)
  - a. Prepare some basic questions beforehand by guessing what team A will argue
  - b. Develop some more detailed and targeted questions about specific points in team A's opening argument
  - c. Do not present any of your own evidence during this phase of the debate
- 3. Opening argument by team B (5 minutes)
  - a. Include your basic proposition
  - b. Include any statistics you have found in your research
  - c. Include any relevant facts or events that support your position
  - d. Address the question, "How does your issue promote the general welfare of society?"
- 4. Cross-Examination by team A (3 minutes)
  - a. Prepare some basic questions beforehand by guessing what team B will argue
  - b. Develop some more detailed and targeted questions about specific points in team B's opening argument
  - c. Do not present any of your own evidence during this phase of the debate
- 5. Concluding remarks by team A (2 minutes)
  - a. Summarize your argument
  - b. Remind the Court of the highlights of your argument. Emphasize your team's strengths and the opposing team's weaknesses
- 6. Concluding remarks by team B (2 minutes)
  - a. Summarize your argument

Remind the Court of the highlights of your argument. Emphasize your team's strengths and the opposing team's weakness

#### Lesson #5

## The Rise of Political Parties

#### **Background of the Period**

Political parties came into existence immediately after the Constitution was written. Thomas Jefferson's Anti-federalist Party, rooted in the philosophy that government should represent the common person, immediately challenged Alexander Hamilton's more elitist Federalist Party. The 1790s is characterized by a struggle between different views about whom the government should primarily represent. The formation of political parties highlighted the inevitable struggle that occurred over economic policy, individual liberty, and domestic and foreign policy.

#### **Objectives of the Lesson**

One of our goals as teachers of American History is to help students become informed citizens so that they can participate in the political process. Our democratic system works best when citizens make clear voting decisions in local and national elections. The enclosed lesson first asks the students to take a political survey to determine some of their own political beliefs. Then the students engage in a study of the first political parties, the Federalists and Anti-federalists in the 1790s. The key goal of the lesson is to help the students make a connection between individual values and political parties. Political parties are, in fact, an expression of a series of individual values. The lesson is also a prelude in how the influence and rise and fall of political parties help us understand trends that take place throughout American History.

#### **Connection to Critical Thinking and Decision Making**

Many students have no idea where they stand on the political spectrum. An informed understanding of one's own political opinions helps students recognize that they fall into a political category as related to their opinions on a variety of political issues. Becoming more aware of different political perspective also helps the student recognize that historical events can be interpreted from different points of view.

**Values** are evident in how someone chooses to vote. Political parties exist, in part, based on the accumulation of values over political issues. By understanding why political parties exist, students can begin to connect their own individual values with politics. Students also recognize that, historically speaking, political parties became the way for large groups of people to express their values. Our commitment to one political party over another reveals our political frame. The useful **information** we gather on individual candidates or political parties are necessary to establish a consistent political frame that is ultimately expressed in voting.

#### The Lesson

1. Give the students the political survey entitled *Assessing Your Political Values*. The survey is limited in form in that it only contains 30 questions. But the survey does give the student a general understanding of where they stand on the political spectrum from conservative to liberal points of view. After you give the survey you can discuss how individual values on a variety of political issues results in the formation of political parties. This survey also fleshes out how students may interpret American History. Liberal historians have a very different interpretation of American History than more conservative historians.

- 2. After the students take the survey please have them answer the questions on, *An Analysis of Political Parties*.
- 3. If time permits, have the students divide into pairs with one student representing a conservative value perspective from the "Political Values" questionnaire and the second student representing the liberal perspective. Request that the students first define their position on an issue such as "A Ban on Handguns" (issue to be selected by the teacher) and then describe how the value for their position developed. Both students should be assigned equal time to present and discuss their positions to each other. The teacher should ask the students to discuss the differences that emerged and ask if the values were rock solid during the discussions or was there some softening of positions. In discussing how the value developed for each student, they should refer to influence from parents, from their religion, from information sources such as the news media or their own readings. Alternately, the students could prepare an essay on their perspective and values on an issue and cite the important influences that formed the value.
- 4. In summary, the teacher should indicate the power of values in making decisions and that some of our values are firm and "locked in" and discuss the pros and cons of strongly held values.

## **Assessing Your Political Values**

Unless noted otherwise, please circle only one response per question. To receive an accurate score you <u>must</u> answer every question based on how closely the answer reflects your own values.

#### 1. Which of the following would you prefer?

- a) An active government that can provide more services even if it means higher taxes
- b) A smaller, less active government that provides fewer services, which means lower taxes

#### 2. Which national legislation would you support? (Circle all that apply)

- a) Allow voluntary prayer in school
- b) Ban the sale of handguns other than to the military and police
- c) Ban flag burning
- d) Enact limits on how long politicians can serve in office

#### 3. If you had to support one of the following issues, which would you support most?

- a) A proposal banning oil drilling in an Alaskan national park
- b) A proposal to eliminate the federal tax on gasoline

#### 4. What type of film best represents your personal values?

- a) A film about a well meaning yet naïve young man who joins the army and works hard throughout his life, who never gives up on his true love or his mother, and who does not embrace the trends of the 1960s
- b) A film about a man who develops a close relationship with the native people of a foreign region and saves their habitat by fighting off his own corrupted kind, who are occupying the planet merely for economic benefit

#### 5. Who was a better president?

- a) Ronald Reagan, who cut taxes by 25% and reduced the size of the federal government
- b) Franklin D. Roosevelt, who created social welfare programs to help the poor and expanded the size of the federal government
- 6. Would you prefer a flat tax, in which all income is taxed at the same rate and tax forms are simpler, or a graduated tax, in which higher incomes are taxed at a higher rate and lower incomes at a lower rate?
  - a) Flat tax
  - b) Graduated tax
- 7. Should companies be encouraged through government policies such as tax breaks to lay off fewer workers even if it means lower corporate profits?
  - a) Yes
  - b) No
- 8. If you saw a child watching a wedding between two homosexual individuals on television, would you change the channel because you don't believe they should be exposed to this situation on T.V.?
  - a) Yes
  - b) No

| 3. What should be the phillary goal of America's foreign point | ary goal of America's foreign policy | goal of | primary | e the | should be | What | 9. |
|--|--------------------------------------|---------|---------|-------|-----------|------|----|
|--|--------------------------------------|---------|---------|-------|-----------|------|----|

- a) To promote democracy and human rights around the world
- b) To promote our economic interests

| 10. Do you object to religious displays, | such as nativity s | scenes at Christmas | or menorahs at | Hanukkah, |
|--|--------------------|---------------------|----------------|-----------|
| on government property?                  |                    |                     |                |           |

- a) Yes
- b) No
- 11. Who should have the greater voice in deciding what books children read in school?
  - a) Parents
  - b) Teachers
- 12. Should tests for human HIV, the virus that causes acquired AIDS, be mandatory for professional athletes in contact sports (e.g., boxing, football, wrestling)?
  - a) Yes
  - b) No
- 13. Do you support a voucher system that would allow parents to receive government funds to send their children to any public or private school of their choice?
  - a) Yes
  - b) No
- 14. If you had to listen to a lecture between one of the following, which topic would appeal most to you?
  - a) A person speaking about promoting more civil rights for minorities in the U.S.
  - b) A person talking about limiting immigration into the U.S. for the cause of national security
- 15. Which level of government is better able to administer key welfare programs such as Medicaid?
  - a) Federal
  - b) State
- 16. Should voter ballots and driver's license tests be available only in English?
  - a) Yes
  - b) No
- 17. If you are the right legal age, should you be allowed to carry a concealed handgun to protect yourself?
  - a) Yes
  - b) No
- 18. Which of the following "welfare reform" provisions would you support? (Circle all that apply)
  - a) A two-year cutoff for welfare recipients who do not find jobs
  - b) Job training and placement for welfare recipients
  - c) No additional benefits for welfare recipients with more than two children
  - d) Child care to enable welfare recipients with young children to take jobs

| <ul><li>9. Which of the following would you support in an effort to cut the U.S. deficit? (Circle all that apply)</li><li>a) Cut growth of Medicare and Medicaid on old people</li><li>b) Cut loans to college students</li></ul> |
|---|
| c) Eliminate subsidies to the arts  |
| d) Cut defense spending   |
| 0. Should illegal immigrants be eligible for welfare benefits for their children?   |
| a) Yes<br>b) No   |
| 1. Do you approve of the "three strikes and you're out" policy whereby anyone convicted of three elonies would be sent to prison for life without parole?   |
| a) Yes  |
| b) No   |
| 2. Which of the following statements matches your opinion most closely?   |
| a) I support the Endangered Species Act because it protects habitat systems   |
| <ul> <li>b) I oppose the Endangered Species Act because it threatens timber jobs and goes against<br/>private property rights</li> </ul>  |
| 3. Should the minimum wage be higher for people who work in places like McDonald's?   |
| a) Yes  |
| b) No   |
| 4. Should high schools be allowed to distribute condoms to students?  |
| a) Yes  |
| b) No   |
| 5. Should sports teams with mascots that offend minority populations (i.e. "the Indians") change the nascots to less controversial names?   |
| a) Yes  |
| b) No   |
| 6. Do you support the death penalty?  |
| a) Yes  |
| b) No   |
| 7. Should the age at which juveniles are judged as adults in criminal cases be lowered to 13 years?   |
| a) Yes  |
| b) No   |
| 8. Should employers be allowed to permanently fire and replace striking workers?  |
| a) Yes  |
| b) No   |

# 29. Should there be a cap on the amount of money juries award injured people who sue big corporations?

- a) Yes
- b) No

#### 30. How should abortions be restricted? (Circle all that apply)

- a) Notify parents before a girl younger than age 18 years has an abortion
- b) No government funding for abortions
- c) Allow abortions only in cases of rape, incest, or danger to the life of the mother
- d) All abortions should be illegal
- e) Abortions should not be restricted

#### **Scoring**

Points are added for the liberal answer to each question. The conservative option scores a zero. Tally your score for each question then add up your total to see where you fall on the political spectrum.

1. a=2 b=0

Liberals tend to favor an activist government(a) based on the philosophy espoused by founding father Alexander Hamilton, whereas conservatives prefer a smaller government (b) embodied in the views of Thomas Jefferson.

2. a=0 b=1 c=0 d=0

Conservatives tend to support voluntary prayer in school. Liberals generally support more stringent restrictions on guns and oppose bans on flag burning as an infringement on First Amendment rights. Conservatives tend to support term limits as a check on government power. Liberals tend to oppose them as arbitrary.

- 3. a=1 b=0
- 4. a=0 b=1
- 5. a=0 b=1
- 6. a=0 b=1
- 7. a=1 b=0

Conservatives would tend to favor tax breaks for corporations, whereas liberals would tend to oppose them.

- 8. a=0 b=1
- 9. a=2 b=0
- 10. a=2 b=0

Liberals more often adhere to a strict interpretation of the separation of church and state doctrine, whereas conservatives often believe some overlap between church and state is permissible.

- 11. a=0 b=1
- 12. a=0 b=2
- 13. a=0 b=2
- 14. a=1 b=0
- 15. a=2 b=0
- 16. a=0 b=2

Conservatives tend to favor English as the official language, believing a common language holds society together. Liberals tend to emphasize the multicultural approach, in which society is sensitive to the needs of individuals, including those who do not speak English.

- 17. a=0 b=1
- 18. a=0 b=1 c=0 d=1
- 19. a=0 b=0 c=0 d=1
- 20. a=1 b=0
- 21. a=0 b=2

Conservatives tend to support tougher sentencing, including the "three strikes and you're out" rule for repeat offenders. Liberals tend to emphasize rehabilitation and contend that "three strikes" laws imprison for life nonviolent offenders.

- 22. a=2 b=0
- 23. a=1 b=0
- 24. a=1 b=0
- 25. a=1 b=0

Republicans

26. a=0 b=1 27. a=0 b=1 28. a=0 b=1 29. a=0 b=1 30. a=0 b=0 c=0 d=0 e=1 Match your score against these political figures and prominent celebrities 40-----100% liberal (Film Director Michael Moore) 35-----Very Liberal (Bono from U2) 30-----Liberal (Hillary Clinton, Tom Hanks) 25-----Moderately Liberal (Barack Obama, David Letterman, Jon Stewart from The Daily Show) 20----- Moderate (Colin Powell, John Kerry) 15-----Moderately Conservative (John McCain, Arnold Schwarzenegger) 10-----Conservative (George W. Bush, Fox News) 5-----Very Conservative (Rush Limbaugh) 0-----100 percent conservative (Ronald Reagan, Mel Gibson) Please place your score on the chart below 0-------40 Conservative Moderate Liberal

Democrats

# **An Analysis of Political Parties**

- 1. Why do political parties even exist?
- 2. Why are there only 2 major political parties in our Democratic system?

#### Lesson #6

## The Federalist/Antifederalist Debate

#### **Background of the Period**

No sooner did the ink dry on the Constitution that political parties formed about how to interpret the Constitution. For all the wisdom of the Founding Fathers, no one predicted that political parties would come into existence so quickly. The political differences were rooted in fundamental disagreements about the role the federal government should play in society and whose interests the government should primarily represent.

#### **Objectives of the Lesson**

- The students will be able to research and debate the merits of the Federalist and Antifederalist positions in the 1790s.
- In the form of a debate, the students will be able to represent the major differences between the Federalists and Anti-federalist parties in the 1790s
- Based on who students represent, they will be able to decide how the different political parties interpreted four different political issues during the period---the bank, states' rights, the French Revolution, and popular rule.

#### **Connection to Critical Thinking and Decision-Making**

Students will be able to put themselves in the shoes of the people who were forming the first political parties. In acting out the positions of the Founding Fathers, they gain greater understanding of the issues that were the most pressing for that time period.

The students will have an opportunity to make a decision on one of four political decisions during the period of the 1790s---the bank, states' rights, the French Revolution, and popular rule. They need to interpret their decision based on the political position they are taking in representing either the Federalists or the Anti-federalists. The activity helps the students recognize that we often interpret events differently based upon our political frame.

The exercise will emphasize *alternatives* and *values*. The values come from the various positions and policies of the Federalists and Anti-federalists and the alternatives come from the course of action or strategy that are followed by the bank's proponents, by the state rights activists, by the advocates of the French Revolution and by the proponents of popular rule.

#### The Lesson

- 1. Pass out the sheet on *Framing the Issues on the Federalists/Anti-federalists Parties*. Based on the score on the political survey, divide the class in half. The students who received a higher, more liberal score on the survey will represent the Anti-federalists. Students with a lower, more conservative score will represent the Federalists. Each group is then responsible to use the events and primary source documents from the period to represent the key issues that separated the Federalists and Anti-federalists. Within the two larger groups, you should allow smaller groups to represent one of the four questions provided. Please explain that it is vitally important that they use the information and documents from the period to structure their argument. Give the students some time in their groups to prepare their argument. The next class period you can then have an open debate about each of the issues.
- 2. Follow up the debate with a discussion on how political parties tend to serve as a method in democratic systems to resolve controversial issues. Political parties become the format that is used in a Democracy to express individual values. Politics is, in part, an expression of general values at a particular time in history. Also, the alternatives developed by an individual or a party on any given issue are the articulation of the way to satisfy a given value or set of values.
- 3. You can also discuss what role the Federalists served during the 1790s and why the Federalists would ultimately die out as a political party.

## Framing the Issues on the Federalist/Antifederalist Parties

"If men were angels, no government would be necessary."
-James Madison

| <u>Federalists</u> | <u> Antifederalists</u> |
|--------------------|-------------------------|
|--------------------|-------------------------|

## Leaders of the Party

| Alexander Hamilton | Thomas Jefferson |
|--------------------|------------------|

#### Constituency

| Appealing to wealthy shippers, bankers, | Appeal to middle class, farmers, laborers, artisans |
|---|---|
| manufacturers                           |   |

#### **Economic Policies**

| -Using national debt to establish credit         | -Pay off the national debt      |
|--|---------------------------------|
| -Pro big business                                | -Pro small farmer               |
| -Protective tariffs to help manufacturing        | -Against protective tariffs     |
| -Creating a central bank to deposit federal      | -Strongly oppose a central bank |
| -Borrow money from wealthy individuals to create |                                 |
| ties to the wealthy class                        |                                 |

#### Attitudes toward Britain and France

| -Favored Britain                              | -Favored France                           |
|---|---|
| -Feared the French Revolution was too radical | Generally supported the French Revolution |

#### **Political Power**

| -Government should be run by wealthy interests   | -Common people should have more say in       |
|--|--|
| -Favored a strong central government with weaker | government                                   |
| state governments                                | -Favored a weak central government with more |
|  | power given to the states                    |

#### Interpreting the Constitution

| -Loose interpretation of the Constitution so the | -Strict interpretation of the Constitution so the |
|--|---|
| government could exercise more power if          | government would not have too much power          |
| necessary  |   |

#### **The French Revolution**

- 1. Based on who you represent, why would you support the either the French or the English in the conflict that is currently taking place in Europe?
- 2. One format that may be useful is to cite the pros and cons of the French Revolution arguments from the perspective of the Federalists or Anti-federalists as illustrated below. (See Teaching Resource A as I could not get this to paste in)

#### **States Rights**

- 1. Based on your political position, why is it so important for you to place more power either to the individual states or to a federal government?
- 2. The same pros and cons format suggested for the French Revolution can be used for this debate as well.

#### **The National Bank**

- 1. Based upon your political position, why is the issue of the government establishing a federal bank so controversial to you?
- 2. The same pros and cons format suggested for the French revolution can be used for this debate as well.

#### **Popular Rule**

- 1. Based on your political position, who do you think the federal government should primarily represent in order to establish a Democracy and create stability in the country?
- 2. The same pros and cons format suggested for the French Revolution can be used for this debate as well.

#### Jefferson Versus Hamilton on the Bank (1791)

## Jefferson February 15, 1791

I consider the foundation of the Constitution as laid on this ground—that *all powers not delegated to the United States by the Constitution, or prohibited by it to the states, are reserved to the states, or to the people* (12<sup>th</sup> [10<sup>th</sup>] amend.). To take a single step beyond the boundaries thus specifically drawn around the powers of Congress is to take possession of a boundless field of power, no longer susceptible of any definition.

The incorporation of a bank, and the powers assumed by this bill, have not, in my opinion, been delegated to the United States by the Constitution.

The second general phrase is "to make all laws *necessary* and proper for carrying into execution the enumerated powers." But they can all be carried into execution without a bank. A bank therefore is not *necessary*, and consequently not authorized by this phrase.

It has been much urged that a bank will give great facility or convenience in the collection of taxes. Suppose this were true; yet the Constitution allows only the means which are "necessary," not those which are merely "convenient," for effecting the enumerated powers. If such a latitude of construction be allowed to this phrase as to give any non-enumerated power, it [the latitude] will go to

every one...

# Hamilton February 23, 1791

If the *end* be clearly comprehended within any of the specified powers, and if the measure have an obvious relation to that *end*, and is not forbidden by any particular provision of the Constitution, it may safely be deemed to come within the compass of the national authority.

There is also this further criterion, which may materially assist the decision: Does the proposed measure abridge a pre-existing right of any state or of any individual? If it does not, there is a strong presumption in favor of its constitutionality...

... "Necessary" often means no more than needful, requisite, incidental, useful, or conducive to....[A] restrictive interpretation of the word "necessary" is also contrary to this sound maxim of construction: namely, that the powers contained in a constitution...ought to be construed liberally in advancement of the public good.

A hope is entertained that it has, by this time, been made to appear to the satisfaction of the President, that a bank has a natural relation to the power of collecting taxes—to that of regulating trade—to that of providing for the common defense...

#### The French Revolution: Conflicting Views (1790s)

#### **Hamilton**

...The cause of France is compared with that of America during its late revolution. Would to heaven that the comparison were just. Would to heaven we could discern in the mirror of French affairs the same humanity, the same decorum, the same gravity, the same order, the same dignity, the same solemnity, which distinguished the cause of the American Revolution. Clouds and darkness would not then rest upon the issue as they now do. I own I do not like the comparison. (1793?)

...There was a time when all men in this country entertained the same favorable view of the French Revolution. At the present time, they all still unite in the wish that the troubles of France may terminate in the establishment of a free and good government; and dis-passionate, well-informed men must equally unite in the doubt whether this is likely to take place under the auspices of those who now govern...that country. But agreeing in these two points, there is a great and serious diversity of opinion as to the real merits and probable issue of the French Revolution. (1794)

None can deny that the cause of France has been stained by excesses and extravagances for which it is not easy, if possible, to find a parallel in the history of human affairs, and from which reason and humanity recoil... (1794)

#### Jefferson

You will have heard, before this reaches you, of the peril into which the French Revolution is brought by the flight of their King. Such are the fruits of that form of government which heaps importance on idiots, and of which the Tories of the present day are trying to preach into our favor. I still hope the French Revolution will issue happily. I feel that the permanence of our own leans in some degree on that; and that a failure there would be a powerful argument to prove there must be a failure here. (1791)

In the struggle which was necessary, many guilty persons fell without the forms of trial, and with them some innocent. These I deplore as much as anybody, and shall deplore some of them to the day of my death. But I deplore them as I should have done had they fallen in battle....Time and truth will rescue and embalm their very liberty for which they would never have hesitated to offer up their lives. The liberty of the whole earth was depending on the issue of the contest, and was ever such a prize won with so little innocent blood? (1793)

My own affections have been deeply wounded by some of the martyrs to this cause, but rather than it should have failed I would have see half the earth desolated; were there but an Adam and an Eve left in every country, and left free, it would be better than it now is. (1793)

#### Alexander Hamilton Versus Thomas Jefferson on Popular Rule (1780s-1820s)

#### Hamilton

All communities divide themselves into the few and the many. The first are the rich and well born; the other, the mass of the people. The voice of the people has been said to be the voice of God; and however generally this maxim has been quoted and believed, it is not true in fact. The people are turbulent and changing; they seldom judge or determine right. Give therefore to the first class a distinct, permanent share in the government. They will check the unsteadiness of the second; and as they cannot receive any advantage by a change, they therefore will ever maintain a good government.

Can a democratic assembly, who annually [through annual elections] revolve in the mass of the people, be supposed steadily to pursue the public good? Nothing but a permanent body can check the imprudence of democracy. Their turbulent and uncontrolling disposition requires checks. (1787)

Take mankind in general, they are vicious—their passions may be operated upon...Take mankind as they are, and what are they governed by? Their passions. There may be in every government a few choice spirits, who may act from more worthy motives. One great error is that we suppose mankind more hones than they are. Our prevailing passions are ambition and interest; and it will be the duty of a wise government to avail itself of those passions, in order to make them subservient to the public good. (1787)

Your people, sir, is a great beast. (According to legend, c. 1792)

#### Jefferson

Those who labor in the earth are the chosen people of God, if ever he had a chosen people, whose breasts he has made his peculiar deposit for substantial and genuine virtue. (1784)

Men...are naturally divided into two parties. Those who fear and distrust the people...Those who identify themselves with the people, have confidence in them, cherish and consider them as the most honest and safe...depository of the public interest. (1824)

The mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready them legitimately, by the grace of God. (1826)

Every government degenerates when trusted to the rulers...alone. The people themselves are its only safe depositories. (1787)

I have such reliance on the good sense of the body of the people and the honesty of their leaders that I am not afraid of their letting things go wrong to any length in any cause. (1788)

Whenever the people are well-informed, they can be trusted with their own government; whenever things get so far wrong as to attract their notice, they may be relied on to set them to rights. (1789)

I am not among those who fear the people. They, and not the rich, are our dependence for continued freedom. (1816)

#### The Clash over States' Rights (1780s-1820s) iii

#### Hamilton

As to the destruction of state governments, the great and real anxiety is to be able to preserve the national [government] from the too potent and counteracting influence of those governments...As to the state governments, the prevailing bias of my judgment is that if they can be circumscribed within bounds consistent with the preservation of the national government, they will prove useful and salutary.

If the states were all of the size of Connecticut, Maryland, or New Jersey, I should decidedly regard the local governments as both safe and useful. As the thing now is, however, I acknowledge the most serious apprehensions that the government of the United States will not be able to maintain itself against their influence. I see that influence already penetrating into the national councils and preventing their direction.

Hence, a disposition on my part towards a liberal construction of the powers of the national government, and to erect every fence to guard it from depredations which is, in my opinion, consistent with constitutional propriety. As to any combination to prostrate the state governments, I disavow and deny it. (1792)

#### Jefferson

Our country is too large to have all its affairs directed by a single government. Public servants, at such a distance and from under the eye of their constituents, must, from the circumstance of distance, be unable to administer and overlook all details necessary for the good government of the citizens; and the same circumstance, by rendering detection impossible to their constituents, will invite the public agents to corruption, plunder, and waste...

What an augmentation of the field for jobbing, speculating, plundering, officebuilding, and office-hunting would be produced by an assumption of all the state powers into the hands of the general government. The true theory of our Constitution [strict construction] is surely the wisest and best—that the states independent as to everything themselves, and united as to everything respecting foreign nations. Let the general government be reduced to foreign concerns only, and let our affairs be disentangled from those of all other nations, except as to commerce, which the merchants will manage the better, the more they are left free to And our general manage themselves. government may be reduced to a very simple organization and a very unexpensive one: a few plain duties to be performed by a few servants. (1800)

# **Bibliography**

<sup>&</sup>lt;sup>ii</sup> http://www.digitalhistory.uh.edu/documents/searchdisplay.cfm?ID=297

ii ii http://www.abanet.org/publiced/youth/sia/cartoons/libertyorder.jpg

iii David M. Kennedy, The American Spirit, Houghton Mifflin Company, Boston, 2002.