

Tennessee Secretary of State

Civics Lesson Plans

Creation and Ratification of the Constitution

Authors: Brian Huber, Whitehaven High School; Scott Johnson, Battle Ground Academy

Grade Level: High School

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Introduction:

The foundation of any functioning democracy is the ability of two opposing sides on any important idea or issue to discuss and debate important ideas in a civil manner that does not devolve into the use of ad hominem attacks, the refusal to engage in meaningful debate, and attempts to restrict the free speech rights of the opposing side. Nowhere was this more evident than in the civil discourse that took place in the American "body politic" during the contentious process where the United States Constitution was developed and ratified. It was the foundation of America's strong "civil society" that allowed the Founding Fathers to come together and compromise in the formation of a hybrid system that revolutionized the world in the formation of the first stable democracy in the modern era. This is an important concept to understand in America today where our civil society has started to fray due to ad hominem attacks over mediums like social media and the unwillingness of many to engage in meaningful intellectual debate on the issues.

Guiding Questions

- How does the tone of civil discourse reflect the health of a nation's civil society?
- How did civil discourse between delegates positively affect the Constitutional Convention?
- How did civil discourse lead to a positive resolution of the Federalist/Anti-Federalist debate?

- How did America's attempt to create a stable democracy compare to the first attempt to do so by the French and how did civil discourse and civil society play a role in the success of one and the failure of the other?

Learning Objectives: In the course of the lesson, students will...

- Understand the political science concept of civil society and the characteristics of a healthy civil society which include meaningful civil discourse.
- Understand the problems and the political and social divide that divided the nation and led to a crisis in the Articles of Confederation government after Shays Rebellion.
- Understand how the Founding Fathers were able to engage in healthy intellectual debate during the Constitutional Convention, how they were able to compromise on key issues that affected the structure of the government, and how this was related to the larger civil society in which the Founding Fathers were situated.
- Understand the intense political debate that raged between the Federalists and Anti-Federalists during the ratification debate and how that debate produced further compromises such as the Bill of Rights.

Curriculum Standards:

GC.2 Determine the central ideas in passages from Democracy in America to examine the character of American society, including its religious, political, and economic character, as articulated by Alexis de Tocqueville. (H, P)

GC.4 Explain how the Constitution reflects a balance between the promotion of the public good and the protection of individual rights. (H, P)

GC.38 Connect insights gained from appropriate informational text to describe the obligations of civic-mindedness, including voting, being informed on civic issues, volunteering and performing public service, and serving in the military or alternative service. (P)

GC.41 Summarize the central ideas of iconic primary documents to identify the fundamental values and principles of a free society and evaluate their meaning and importance, including the writings and speeches of Thomas Jefferson, Abraham Lincoln, Franklin Roosevelt, John Kennedy, and Ronald Reagan.

GC.42 Explain how civil society provides opportunities for individuals to associate for social, cultural, religious, economic, and political purposes. (C, P)

GC.43 Explain how civil society makes it possible for people, individually or in association with others, to bring their influence to bear on government in ways other than voting and elections. (C, P)

8.31 Identify the various leaders of the Constitutional Convention and analyze the major issues they debated, including: (C, E, H)

- distribution of power between the states and federal government
- Great Compromise
- Slavery and the 3/5 Compromise
- George Washington and James Madison

8.32 Explain the ratification process and describe the conflict between Federalists and Anti-Federalists over ratification, including the need for a Bill of Rights and concern for state's rights, citing evidence from the Federalist Papers No. 10 and 51 and other primary source texts. (H, P)

Materials Needed:

- Activity 2 Documents / Resources
 - [Document 13: The Revised Virginia Plan and the New Jersey Plan \(June 13 and 15, 1787\)](#)
 - [The Constitutional Convention as a Four Act Drama](#)
- Activity 3 Documents / Resources
 - [Federalist Papers: Congress.gov](#)
 - [Anti-Federalist Papers](#)
 - [Federalist Papers: Library of Congress](#)
 - [Teaching American History: Federalists v. Anti-Federalists](#)
 - [National Constitution Center: Role of the Anti-Federalists](#)
 - [Diffen: Anti-Federalist v. Federalist](#)
- Excerpts from [Alexis de Tocqueville's *Democracy in America*](#)

Background:

[Enlightenment: History.com](#)

[Articles of Confederation: Library of Congress](#)

[Articles of Confederation: History.com](#)

[Constitutional Convention: Encyclopedia Britannica](#)

[Federalist – Antifederalist Debates: Teaching American History](#)

Lesson Activities:

Lesson Activity 1: How does the tone of civil discourse reflect the health of a nation's civil society?

- Define civil society and explain its importance.
- Have students select a mildly controversial political topic (depending on your particular classroom) and break into two sides for a short debate on the topic.
 - Examples: Teachers can start with noncontroversial topics like Snickers vs Twix, Is a hotdog a sandwich?, pineapple on pizza, and then move into mildly controversial topics, etc.
- The teacher will serve as a moderator and have students debate the topic in a civil manner following specific debate rules. Example of some debate rules here:
 - [US Courts: Setting Ground Rules - Civil Discourse](#)
- Class Discussion: Have students reflect on the debate.
 - Was it constructive to hear each other's ideas and respond with reasoned arguments? Explain.
 - Were you willing to compromise on a solution when presented with information and opinions in this manner?
 - What are some examples of incivility in the discussion of policies and ideas that they have seen in society or their communities?
 - What are the effects of poor civil discourse?

Lesson Activity 2: How did civil discourse between delegates positively affect the Constitutional Convention?

- Split the students into two groups: Virginia and New Jersey. The two groups will participate in a Mock Debate after reviewing the revised Virginia and New Jersey Plans.
- Students will chunk the reading of the revised Virginia Plan and New Jersey Plan.
 - [Document 13: The Revised Virginia Plan and the New Jersey Plan \(June 13 and 15, 1787\)](#)
 - Students can read the actual exchanges at the convention over the plans - especially focusing on the attempts to find a compromise in "Act II": [The Constitutional Convention as a Four Act Drama](#)
- After reading the documents, have students conduct a mock debate over which plan they think is better.
- Have students reflect on:

- The tone that the Founding Fathers took with each other as they discussed the plans.
- How they were able to vehemently disagree in a civil manner (and if they were able to do so in the mock debate).
- How this eventually laid the foundation for the Connecticut Compromise.

Lesson Activity 3: How did civil discourse lead to a resolution of the Federalist/Anti-Federalist debate?

Have students read or research the background of the debate and the different arguments on both sides.

Class will be split in half, either Federalist or Anti-Federalists. Students have a variety of texts available to them to research and create their arguments to answer the question. Here are a few resources for students to look over to prepare for the debate:

- [Federalist Papers: Congress.gov](#)
- [Anti-Federalist Papers](#)
- [Federalist Papers: Library of Congress](#)
- [Teaching American History: Federalists v. Anti-Federalists](#)
- [National Constitution Center: Role of the Anti-Federalists](#)
- [Diffen: Anti-Federalist v. Federalist](#)

Depending on your classroom, the debate can be formatted differently.

- Students can nominate a spokesperson (or several) to formally debate different issues that the Federalists and Anti-Federalists disagreed on.
- Students can participate in “Speed Dating” and have a short amount of time with another student to argue their side of the issue.
- Debates can be done in smaller groups or in a written format.

After the mock debate, have students reflect on:

- The tone that the Founding Fathers took with each other as they publicly tried to persuade others of their positions.
- How they were able to vehemently disagree in a civil manner.
- How this eventually laid the foundation for the compromise between the two sides that allowed for the ratification of the Constitution in return for the adoption of the Bill of Rights through the amendment process.

Lesson Activity 4: Comparing and Contrasting American Democracy and French Democracy

- Have students break into groups and each read different selections from [Alexis de Tocqueville's *Democracy in America*](#).
 - Have students reflect on the differing assessments of democracy in America and in France by Tocqueville.
 - Students could research this on their own as a homework/writing assignment.
- Use the following questions to generate a discussion.
 - How did civil discourse play a role?
 - How did civil society in America differ from civil society in France?

Options for Extension:

- Students can hold more debates over political issues and practice "civil discourse."
- Students can do a mock candidate debate over a number of hot button political issues. Some students can play candidates in a coming election, while others play journalists. The debate can function like a press conference with the candidates taking questions on policy issues from journalists.
- Students can take an issue that they are passionate about and attempt to create social change by engaging the public in a civil manner by writing an open letter to a newspaper or to the governor.

Modifications for Other Grades:

Students in other grades could take parts of the lesson (for instance - the Constitutional Convention only) and conduct mock debates over other topics throughout history.

Students could create their own resource for teaching other students how to debate sensitive issues in a civil and constructive manner, such as creating a YouTube video with instructions on civil discourse including examples of both positive and negative civil discourse.