

The US Constitution: Federalists v. Anti-Federalists



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

The US Constitution: Federalists v. Anti-Federalists

BY TIM BAILEY

UNIT OVERVIEW

This unit is one of the Gilder Lehrman Institute's Teaching Literacy through History resources, designed to align with the Common Core State Standards. These units were developed to enable students to understand, summarize, and evaluate original source materials of historical significance. Through a step-by-step process, students will acquire the skills to analyze, assess, and develop knowledgeable and well-reasoned viewpoints on primary source materials.

In this unit, students will closely read selections from both the Federalist Papers and the Anti-Federalist Papers. They will use critical-analysis questions to understand the arguments presented in the texts and then demonstrate their understanding by developing and presenting a scripted debate based on those arguments.

UNIT OBJECTIVES

Students will be able to

- Analyze primary source documents using close-reading strategies
- Identify an author's major claims
- Support claims using textual evidence
- Draw conclusions based on direct evidence found in the text
- Collaborate effectively with classmates to develop and express positions and viewpoints

ESSENTIAL QUESTIONS

- Who has the better argument, the Federalists or the Anti-Federalists?
- Which level of government (national or state) is more likely to protect and enhance America's core ideals?

NUMBER OF CLASS PERIODS: 4

GRADE LEVEL(S): 7–12

HISTORICAL BACKGROUND

“Federalists, Anti-Federalists, and the US Constitution”

By Denver Brunsman,

Associate Professor of History, The George Washington University

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

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

By contrast, although the Anti-Federalists included such leading figures as George Mason and Patrick Henry of Virginia and Elbridge Gerry of Massachusetts (the future father of gerrymandering), they drew the majority of their support from common farmers in rural areas. With few interstate contacts, Anti-Federalists struggled to project their message beyond their individual states. Still, they also left behind dozens of writings, originally published in newspapers, which aimed to prevent the ratification of the Constitution. Like “Publius,” Anti-Federalist writers used pseudonyms, such as “Brutus” and “Cato,” to conceal their identities. However, unlike the Federalists, Anti-Federalists rarely coordinated their message and their writings never appeared in a collection together until the twentieth century (see Lesson 2 below).

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

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

COMMON CORE STATE STANDARDS

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

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

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

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

CCSS.ELA-Literacy.RH.9-10.2: Determine the central ideas or information of a primary or secondary source; provide an accurate summary of how key events or ideas develop over the course of the text.

LESSON 1

OVERVIEW

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

UNIT OBJECTIVES

Students will be able to

- Analyze primary source documents using close-reading strategies
- Identify an author’s major claims
- Support claims using textual evidence
- Draw conclusions based on direct evidence found in the text
- Collaborate effectively with classmates to develop and express positions and viewpoints

MATERIALS

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

PROCEDURE

1. Divide the class into groups of three to five students. These will be the critical-thinking groups for the next several days.
2. The students should be familiar with the failure of the Articles of Confederation, the Constitutional Convention, and the writing of the US Constitution. You may discuss the Historical Background (p. 3) with them, but do not reveal too much about the arguments presented in the texts because you want the students to discover the arguments themselves through careful reading and discussion.
3. Hand out the four excerpts from Federalist Papers #1, #10, #51, and #84. If possible, have a copy up on a document projector so that everyone can see it and you can refer to it easily.
4. “Share read” the excerpts from the Federalist Papers with the students. This is done by having the students follow along silently while you begin reading aloud, modeling prosody, inflection, and punctuation. After a few sentences, ask the class to join in with the reading while you continue to read aloud, still serving as the model. This technique will support struggling readers as well as English language learners (ELL).

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

LESSON 2

OVERVIEW

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

UNIT OBJECTIVES

Students will be able to

- Analyze primary source documents using close-reading strategies
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- Support claims using textual evidence
- Draw conclusions based on direct evidence found in the text
- Collaborate effectively with classmates to develop and express positions and viewpoints

MATERIALS

- Excerpts from Anti-Federalist Papers #1, #9, #46, and #84 printed in *The Antifederalist Papers*, Morton Borden, ed. (East Lansing: Michigan State University Press, 1965). Unlike the Federalist Papers, the essays by Anti-Federalists were not conceived of as a unified series. Thus historians have imposed different numbering systems as they compiled various essays; the numbers used here are Morton Borden’s chronology.
- The Anti-Federalist Papers: Critical-Analysis Questions
- Overhead projector or other display

PROCEDURE

1. Students should sit with their critical-thinking groups from the last lesson. Review the background information from the last lesson. Do not reveal too much about the arguments presented in the Anti-Federalist Papers as you want the students to discover them through careful reading and discussion with their classmates.
2. Hand out the four excerpts from Anti-Federalist Papers #1, #9, #46, and #84. If possible, have a copy up on a document projector so that everyone can see it and you can refer to it easily.
3. Share read the excerpts from the selected Anti-Federalist Papers with the students as described in Lesson 1. As in the previous lesson, encourage students to reason out the meaning of words they do not know.
4. Ask the students a critical-analysis question for each of the Anti-Federalist Papers. The students should work together in their groups developing an answer that uses quotations from the document itself as well as an answer in the students’ own words demonstrating their understanding of the document.
 - **Critical-Analysis Question 1:** Anti-Federalist Paper #1 states “In order to deceive them . . .” According to the author, who is deceiving whom and for what purpose? Put those thoughts into your own words. (Answers will vary, but in the end the students should conclude that the “Aristocracy” and “Lawyers” are out to deceive “The People” in order to “sate their voracious stomachs with the golden bait.”)

- **Critical-Analysis Question 2:** Anti-Federalist Paper #9 begins, “We the Aristocratic party of the United States.” Why would Anti-Federalists write from the point of view of the aristocrats? What evidence in this document shows the aristocrats’ supposed contempt for the average citizen? Put those thoughts into your own words. (Answers will vary, but in the end the students should conclude that this Anti-Federalist Paper is a satire and that the evidence includes statements such as “totally incapable of thinking or acting” and “have power over little else than yoaking hogs.”)
 - **Critical-Analysis Question 3:** Anti-Federalist Paper #46 states, “we are left wholly dependent on the wisdom and virtue of the men who shall from time to time be the members of Congress.” What evidence does the author use to support this argument? Put those thoughts into your own words. (Answers will vary, but in the end the students should conclude that “the Congress are therefore vested with the supreme legislative power” and “undefined, unbounded and immense power.”)
 - **Critical-Analysis Question 4:** Anti-Federalist Paper #84 states that the Constitution needs to be “founded on a declaration or bill of rights.” What evidence is presented by the author to support this argument? Put those thoughts into your own words. (Answers will vary but in the end they should conclude that “but rulers have the same propensities as other men, they are as likely to use the power with which they are vested, for private purposes” and “grand security to the rights of the people is not to be found in this Constitution.”)
5. **Wrap-up:** Discuss final conclusions and clarify points of confusion.

LESSON 3

OVERVIEW

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

UNIT OBJECTIVES

Students will be able to

- Analyze primary source documents using close-reading strategies
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- Draw conclusions based on direct evidence found in the text
- Collaborate effectively with classmates to develop and express positions and viewpoints

MATERIALS

- Debate Organizer
- Excerpts from Federalist Papers #1, #10, #51, and #84
- The Federalist Papers: Critical-Analysis Questions (completed)
- Excerpts from Anti-Federalist Papers #1, #9, #46, and #84
- The Anti-Federalist Papers: Critical-Analysis Questions (completed)
- US Constitution, 1787, *Charters of Freedom*, National Archives and Records Administration, www.archives.gov/exhibits/charters. Note: This text is a transcript of the Constitution as it was inscribed in 1787 by Jacob Shallus on parchment (the document on display in the National Archives Museum). The spelling and punctuation reflect the original. Some sections differ from the current text.

PROCEDURE

1. Students should sit with their critical-thinking groups from the last lesson. All of the students should have copies of the excerpts of and their activity sheets for the Federalist Papers and the Anti-Federalist Papers as well as the US Constitution as reference materials.
2. Tell the students that they need to choose one person to be a debate moderator and then divide the rest of the group into Federalists and Anti-Federalists. Each group will write a script for a debate based on the issues raised in the primary source documents they have been studying. This script is to be written as a team effort, and everyone in the group will have a copy of the final script.

3. Distribute the Debate Organizer, which provides three questions that all groups must address during the debate. It is important that all the answers incorporate actual text from the documents.
 - What is your position on adding a bill of rights to the Constitution?
 - How would you address concerns about the “powers of government” under this new Constitution?
 - Explain why this Constitution is or is not in the best interests of our nation as a whole.
4. Wrap-up: If students have time, let them rehearse their presentations for the next lesson.

LESSON 4

OVERVIEW

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

PROCEDURE

1. The groups will present the debates between the Federalists and the Anti-Federalists that they scripted in the last lesson.
2. The Moderator should begin the debate by introducing both sides and setting out the protocol for the "debate." (Watching a clip of a debate might be helpful as well.)
3. Wrap-up: As time allows, have students debrief the last four lessons and what they learned.
4. Optional: You can have students write a short essay addressing the three questions from the debate or the essential questions provided at the beginning of this unit.

Excerpts from The Federalist Papers

Federalist Paper #1

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

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

Federalist Paper #10

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

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

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

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

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

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

The inference to which we are brought, is, that the *causes* of faction cannot be removed, and that relief is only to be sought in the means of controlling its *effects*. . . .

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

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

The two great points of difference between a democracy and a republic, are, first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is, on the one hand, to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice, will be least likely to sacrifice it to temporary or partial considerations. . . .

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

Federalist Paper #51

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

But the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department, the necessary constitutional means, and personal motives, to resist encroachments of the others . . . It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place, oblige it to control itself. . . .

In republican government the legislative authority necessarily predominates. The remedy for this inconveniency is, to divide the legislature into different branches; and to render them by different modes of election, and different principles of action, as little connected with each other, as the nature of their common functions, and their common dependence on the society, will admit. It may even be necessary to guard against dangerous encroachments by still further precautions. As the weight of the legislative authority requires that it should be thus divided, the weakness of the executive may require, on the other hand, that it should be fortified. An absolute negative, on the legislature, appears, at first view to be the natural defence with which the executive magistrate should be armed. . . .

In a single republic, all the power surrendered by the people, is submitted to the administration of a single government; and the usurpations are guarded against by a division of the government into distinct and separate departments. In the compound republic of America, the power surrendered by the people, is first divided between two distinct governments, and then the portion allotted to each, subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other; at the same time that each will be controlled by itself.

Federalist Paper #84

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

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

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

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

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

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

NAME _____

PERIOD _____

DATE _____

The Federalist Papers: Critical-Analysis Questions

<p>Federalist Paper #1 states that “History will teach us. . . .” What words does the author use to tell us what we will be taught?</p>	<p>Put those thoughts into your own words.</p>
<p>Federalist Paper #10 states “that the causes of faction cannot be removed, and that relief is only to be sought in the means of controlling its effects.” What “effects” is the author referring to, and how are they to be remedied?</p>	<p>Put those thoughts into your own words.</p>

NAME

PERIOD

DATE

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

Excerpts from The Anti-Federalist Papers

Anti-Federalist Paper #1

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

Anti-Federalist Paper #9

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

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

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

Signed by unanimous order of the lords spiritual and temporal.

Anti-Federalist Paper #46

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

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

Anti-Federalist Paper #84

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

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

. . . This principle is a fundamental one, in all the Constitutions of our own States; there is not one of them but what

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

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

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

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

Source: *The Antifederalist Papers*, Morton Borden, ed. (East Lansing: Michigan State University Press, 1965)

NAME _____

PERIOD _____

DATE _____

The Anti-Federalist Papers: Critical-Analysis Questions

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

NAME

PERIOD

DATE

Anti-Federalist Paper #46 states, “we are left wholly dependent on the wisdom and virtue of the men who shall from time to time be the members of Congress.” What evidence does the author use to support this argument?

Put those thoughts into your own words.

Anti-Federalist Paper #84 states that the Constitution needs to be “founded on a declaration or bill of rights.” What evidence is presented by the author to support this argument?

Put those thoughts into your own words.

NAME

PERIOD

DATE

Debate Organizer

Circle one: Federalists or Anti-Federalists

<p>What is your position on adding a bill of rights to the Constitution?</p>	<p>Answer:</p> <p>Evidence from Text:</p>
<p>How would you address concerns about the “powers of government” under this new Constitution?</p>	<p>Answer:</p> <p>Evidence from Text:</p>
<p>Explain why this Constitution is or is not in the best interests of our nation as a whole.</p>	<p>Answer:</p> <p>Evidence from Text:</p>

US Constitution, 1787

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE. I.

Section. 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section. 2.

The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section. 3.

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during

the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section. 4.

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section. 5.

Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section. 6.

The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be

privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section. 7.

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States: If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section. 8.

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section. 9.

The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section. 10.

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE. II.

Section. 1.

The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer

shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section. 2.

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section. 3.

He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section. 4.

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

Section. 1.

The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

Section. 2.

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State,—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section. 3.

Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE. IV.

Section. 1.

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section. 2.

The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section. 3.

New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section. 4.

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic Violence.

ARTICLE. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE. VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

The Word, "the," being interlined between the seventh and eighth Lines of the first Page, the Word "Thirty" being partly written on an Erasure in the fifteenth Line of the first Page, The Words "is tried" being interlined between the thirty second and thirty third Lines of the first Page and the Word "the" being interlined between the forty third and forty fourth Lines of the second Page.

Attest William Jackson Secretary done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independance of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names.