

# LESSON PLAN: “INSTRUCTIONS TO DELEGATES OF THE CONSTITUTIONAL CONVENTION”

## TEACHER DIRECTIONS

*For:* The Center for the Study of the American Constitution

*By:* Andrew Britton, Oshkosh West High School

*Email address:* [andrew.britton@oshkosh.k12.wi.us](mailto:andrew.britton@oshkosh.k12.wi.us)

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*Instructor:* Timothy Moore

## TIME NEEDED

1 50-Minute class period (More time might be needed for the large-group discussion at the end. If so, it should take place at the beginning of the next class period.)

## MATERIALS NEEDED

Each student will need a copy of the following. All of these materials are included in this document, just scroll down!

- 1) Student direction sheet
- 2) Document: “*Resolution of Congress*”, 21 February 1787
- 3) Document: “*Virginia Act Authorizing the Election of Delegates*”, 23 November 1786
- 4) Document: “*Massachusetts Resolution Authorizing the Appointment of Delegates and Providing Instructions for Them*”, 22 February 1787
- 5) Document: “*Maryland Act Electing and Empowering Delegates*”, 26 May 1787

## LESSON OUTLINE

*Before lesson:* Make sure students have proper background information.

*Lesson:* The lesson is designed to last approximately 50 minutes. (More time might be needed during the beginning of the next class period for the large-group discussion at the end of the lesson.)

*After lesson:* In the class periods following this lesson, students will study the process of writing the Constitution in Philadelphia and the ratification process that followed.

## BEFORE LESSON

Students should be familiar with the following events and vocabulary so that they have the necessary background information to complete this activity:

- \*The causes and effects of the American Revolution
- \*Characteristics of the state constitutions written during the American Revolution
- \*Structure of the national government under the Articles of Confederation
- \*The strengths and weaknesses of the Articles of Confederation
- \*Reasons for the calling of the Philadelphia Convention, including knowledge of the Annapolis Convention

## LESSON

### **PART #1 (10 MINUTES)**

- 1) Students should individually read the “Resolution of Congress” 21 February 1787.
- 2) **10 MINUTES:** As a class, discuss the questions on the *student direction sheet* together. Students should write down the answers to these questions on their *student direction sheet*. The questions include:
  - \*\*\*In one sentence, summarize the major instructions to the delegates.**
  - \*\*\*How explicit are these directions? (Explain to students that explicit means free from all vagueness and ambiguity.) Support your answer with evidence from the document.**
  - \*\*\*On a scale of 1-10, with 1 being *no change* and 10 being a *major change*, how much change does the resolution suggest needs to be made to the Articles of Confederation? What is the reason for your rating?**

### **PART #2 (10 MINUTES)**

- 1) Break the students into groups of 6. Within each group of 6, each student should have a partner.
- 2) Within each group, assign one pair of students to the document “Virginia Act Authorizing the Election of Delegates”, one pair to the document “Massachusetts Resolution Authorizing the Appointment of Delegates and Providing Instructions for Them”, and a third pair to the document “Maryland Act Electing and Empowering Delegates”.
- 3) Walk through the below directions with each student. These directions are also on the *student direction sheet*.

- 1) Read your assigned document once through on your own.
- 2) Working with your partner, answer the questions on your document on the *student direction sheet*. These questions include:
  - \*\*\* How explicit are these directions compared to the Resolution of Congress that was discussed in class? Support your answer with evidence from the document.**
  - \*\*\*What additional instructions, if any, are made to the delegates beyond what was stated in the Resolution of Congress?**
  - \*\*\*On a scale of 1-10, with 1 being *no change* and 10 being a *major change*, how much change does the document suggest needs to be made to the Articles of Confederation? What is the reason for your rating?**
- 3) Wait until all six students in your group are completed with this activity before proceeding.

### **PART #3: (10-15 MINUTES)**

Each pair of students should then teach the answers to the three questions relating to their assigned document *orally* to the other pairs of students in their group. The other students should write down the answers to the questions on their *student*

*direction sheet.* **STUDENTS ARE NOT ALLOWED TO JUST COPY THE ANSWERS FROM THE OTHER MEMBERS IN THEIR GROUP- THEY MUST LISTEN ORALLY AND WRITE THEM DOWN.**

**PART #4: (10 MINUTES):**

1) Students should rank order all 3 documents as far as how much of a *change* the document suggests needs to be made to the Articles of Confederation. This should be done in the space provided on the *student direction sheet*. Students should put a 1 next to the document that suggests needing the most change. a 2 next to the document that suggests the second-most change, and a 3 next to the document that suggests the least amount of change.

2) As a group, students should write and discuss answers to the discussion questions listed on the *student direction sheet*. These questions include:

\*\*\*What do you think are the reasons for the differences in the instructions between Virginia, Massachusetts, and Maryland?

\*\*\*Why do you think some instructions were more explicit than others?

\*\*\*If you had been in a state legislature at the time, would you favor having explicit directions? Why or why not?

\*\*\*From what you've learned from these documents, what made the job of the delegates to the Philadelphia Convention especially difficult?

**PART #5 (5-10 MINUTES): LARGE GROUP DISCUSSION (This discussion may need to be conducted at the beginning of the next class period if there isn't time.)**

As the class discusses the below items, students should take notes on the designated spaces provided on the *student direction sheet*.

1) Ask each of the groups to share their rank order regarding the documents. Ask students to also share their justification for their rank order.

2) Briefly review with students the facts surrounding the major controversies faced at the Philadelphia Convention, especially the controversies that were resolved by the Great (Connecticut) Compromise and the Three-Fifths Compromise.

3) Ask students why it was difficult for many of the delegates to adhere to the instructions given to them by their respective state legislatures.

4) Ask students what risks the delegates were taking by not strictly adhering to the instructions given to them by their respective state legislatures.

**STUDENT DIRECTION SHEET (PAGE #1)**

**LESSON: "INSTRUCTIONS TO DELEGATES OF THE CONSTITUTIONAL CONVENTION"**

**PART #1 (10 MIINUTES)**

1) Read individually the "Resolution of Congress" 21 February 1787.

2) **10 MINUTES:** As a class, you will discuss the below questions. You should write down the answers to these questions below.

**FOR: "RESOLUTION OF CONGRESS" 21 February 17**

**\*\*\*In one sentence, summarize the major instructions to the delegates.**

**\*\*\*How explicit are these directions? (Explicit means free from all vagueness and ambiguity.) Support your answer with evidence from the document.**

**\*\*\*On a scale of 1-10, with 1 being *no change* and 10 being a *major change*, how much change does the resolution suggest needs to be made to the Articles of Confederation? What is the reason for your rating?**

**STUDENT DIRECTION SHEET (PAGE #2)**

**PART #2 (10 MINUTES)**

Your teacher will split the class into groups of 6. Within each group of 6, each student should have a partner. At this point, the teacher will assign a document to you and your



\*\*\* How explicit are these instructions compared to the Resolution of Congress that was discussed in class? Support your answer with evidence from the document.

\*\*\*What additional instructions, if any, are made to the delegates beyond what was stated in the Resolution of Congress?

\*\*\*On a scale of 1-10, with 1 being *no change* and 10 being a *major change*, how much change does the document suggest needs to be made to the Articles of Confederation? What is the reason for your rating?

STUDENT DIRECTION SHEET (PAGE #4)

DOCUMENT: "MASSACHUSETTS RESOLUTION AUTHORIZING THE APPOINTMENT OF DELEGATES AND PROVIDING INSTRUCTIONS FOR THEM", 22 February 1787

**\*\*\* How explicit are these instructions compared to the Resolution of Congress that was discussed in class? Support your answer with evidence from the document.**

**\*\*\*What additional instructions, if any, are made to the delegates beyond what was stated in the Resolution of Congress?**

**\*\*\*On a scale of 1-10, with 1 being *no change* and 10 being a *major change*, how much change does the document suggest needs to be made to the Articles of Confederation? What is the reason for your rating?**

STUDENT DIRECTION SHEET (PAGE #5)

DOCUMENT: “MARYLAND ACT ELECTING AND EMPOWERING DELEGATES”, 26 May 1787

**\*\*\* How explicit are these instructions compared to the Resolution of Congress that was discussed in class? Support your answer with evidence from the document.**

**\*\*\*What additional instructions, if any, are made to the delegates beyond what was stated in the Resolution of Congress?**

**\*\*On a scale of 1-10, with 1 being *no change* and 10 being a *major change*, how much change does the document suggest needs to be made to the Articles of Confederation? What is the reason for your rating?**

STUDENT DIRECTION SHEET (PAGE #6)

PART #3: 10 MINUTES)

Each pair of students in your group should now teach the answers to the three questions relating to their assigned document *orally* to the other pairs of students in your group. Each student, while listening, should write down the answers to the questions for the documents that they did not read on their *student direction sheet*.

**YOU ARE NOT ALLOWED TO JUST COPY THE ANSWERS FROM THE**



**OTHER MEMBERS IN YOUR GROUP- YOU MUST LISTEN ORALLY AND WRITE THEM DOWN.**

**PART #4: (10 MINUTES):**

1) Rank order all 3 documents as far as how much of a *change* the document suggests needs to be made to the Articles of Confederation in the space provided below. Put a 1 next to the document that suggests needing the most change, a 2 next to the document that suggests the second-most change, and a 3 next to the document that suggests the least amount of change.

**RANK ORDER OF DOCUMENTS:**

RANK: \_\_\_\_\_ Document: *“Virginia Act Authorizing the Election of Delegates”*

RANK: \_\_\_\_\_ Document: *“Massachusetts Resolution Authorizing the Appointment of Delegates and Providing Instructions for Them”*,

RANK: \_\_\_\_\_ Document: *“Maryland Act Electing and Empowering Delegates”*

2) As a group, write and discuss answers to the discussion questions below

1) What do you think are the reasons for the differences in the instructions between Virginia, Massachusetts, and Maryland?

2) Why do you think some instructions were more explicit than others?

3) If you had been in a state legislature at the time, would you favor having explicit directions? Why or why not?

4) From what you’ve learned from these documents, what made the job of the delegates to the Philadelphia Convention especially difficult?

**STUDENT DIRECTION SHEET (PAGE #7)**

**PART #5 (5 MINUTES): LARGE GROUP DISCUSSION**

1) Each of the groups should share their rank order regarding the documents. Students in each group should be prepared to share their justification for their rank order.

2) Your teacher will now briefly review the facts surrounding the major controversies faced at the Philadelphia Convention, especially the controversies that were resolved

by the Great (Connecticut) Compromise and the Three-Fifths Compromise. Please take notes regarding these topics in the space below:

3) Why do you think it was difficult for many of the delegates to adhere to the instructions given to them by their respective state legislatures?

4) What were the risks the delegates were taking by not strictly adhering to the instructions given to them by their respective state legislatures?

## **Resolution of Congress**

21 February 1787

By The United States in Congress Assembled

February 21st 1787.

Whereas there is provision in the Articles of Confederation and perpetual Union for making alterations therein by the assent of a Congress of the United States and of the Legislatures of the several States; And Whereas experience hath evinced that there are defects in the present Confederation, as a mean to remedy which several of the States and particularly the State of New York by express instructions to their Delegates in Congress have suggested a Convention for the purposes expressed in the following resolution and such Convention appearing to be the most probable mean of establishing in these States a firm National Government-

Resolved That in the opinion of Congress it is expedient that on the second Monday in May next a Convention of Delegates who shall have been appointed by the several States be held at Philadelphia for the sole and express purpose of revising the Articles of Confederation and reporting to Congress and the several Legislatures such alterations and provisions therein as shall when agreed to in Congress and confirmed by the States render the federal Constitution adequate to the exigencies of Government and the preservation of the Union-

Cite as: The Documentary History of the Ratification of the Constitution Digital Edition, ed. John P. Kaminski, Gaspare J. Saladino, Richard Leffler, Charles H. Schoenleber and Margaret A. Hogan. Charlottesville: University of Virginia Press, 2009.  
Canonic URL: <http://rotunda.upress.virginia.edu/founders/RNCN-03-13-02-0004>  
[accessed 09 May 2012]  
Original source: Commentaries on the Constitution, Volume XIII: Commentaries on the Constitution, No. 1

## **Virginia Act Authorizing the Election of Delegates**

23 November 1786

*An ACT for appointing DEPUTIES from this Commonwealth to a CONVENTION proposed to be held in the City of Philadelphia in May next, for the purpose of revising the FEDERAL CONSTITUTION.*

Section I. Whereas the Commissioners who assembled at Annapolis, on the fourteenth day of September last, for the purpose of devising and reporting the means of enabling Congress to provide effectually for the Commercial Interests of the United States, have represented the necessity of extending the revision of the Federal System to all its defects; and have recommended that Deputies for that purpose be appointed by the several Legislatures, to meet in Convention in the City of Philadelphia, on the second day of May next; a provision which seems preferable to a discussion of the subject in Congress, where it might be too much interrupted by the ordinary business before them, and where it would besides be deprived of the valuable counsels of sundry individuals, who are disqualified by the Constitution or Laws of particular States, or restrained by peculiar circumstances from a seat in that Assembly: And whereas the General Assembly of this Commonwealth, taking into view the actual situation of the Confederacy, as well as reflecting on the alarming representations made from time to time by the United States in Congress, particularly in their Act of the fifteenth day of February last, can no longer doubt that the crisis is arrived at which the good people of America are to decide the solemn question, whether they will by wise and magnanimous efforts reap the just fruits of that Independence, which they have so gloriously acquired, and of that Union which they have cemented with so much of their common blood; or whether by giving way to unmanly jealousies and prejudices, or to partial and transitory interests, they will renounce the auspicious blessings prepared for them by the Revolution, and furnish to its enemies an eventual triumph over those by whose virtue and valour it has been accomplished: And whereas the same noble and extended policy, and the same fraternal and affectionate sentiments, which originally determined the Citizens of this Commonwealth to unite with their brethren of the other States in establishing a Federal Government, cannot but be felt with equal force now, as motives to lay aside every inferior consideration, and to concur in such further concessions and provisions, as may be necessary to secure the great objects for which that Government was instituted, and to render the United States as happy in peace, as they have been glorious in war:

Sect. II. *BE it therefore enacted by the General Assembly of the Commonwealth of Virginia,* That seven Commissioners be appointed by joint ballot of both Houses of Assembly, who, or any three of them, are hereby authorized as Deputies from this Commonwealth, to meet such Deputies as may be appointed and authorised by other States, to assemble in Convention at Philadelphia, as above recommended, and to join with them in devising and discussing all such alterations and further provisions, as may be necessary to render the Federal Constitution adequate to the exigencies of the Union; and in reporting such an Act for that purpose, to the United States in Congress, as, when agreed to by them, and duly confirmed by the several States, will effectually provide for the same.

Sect. III. *AND be it further enacted,* That in case of the death of any of the said Deputies, or of their declining their appointments, the Executive are hereby authorised to supply such vacancies. And the Governor is requested to transmit forthwith a copy of this Act to the United States in Congress, and to the Executives of each of the States in the Union.

Cite as: The Documentary History of the Ratification of the Constitution Digital Edition, ed. John P. Kaminski, Gaspare J. Saladino, Richard Leffler, Charles H. Schoenleber and Margaret A. Hogan. Charlottesville: University of Virginia Press, 2009.

Canonic URL: <http://rotunda.upress.virginia.edu/founders/RNCN-01-01-02-0006-0003-0001> [accessed 27 Jan 2012]

Original source: Constitutional Documents and Records, 1776–1787, Volume I: Constitutional Documents and Records, 1776–1787

## **Massachusetts Resolution Authorizing the Appointment of Delegates and Providing Instructions for Them**

22 February 1787

Resolved that five Commissioners be appointed, by the General Assembly, who, or any three of whom, are hereby empowered, to meet such Commissioners, as are or may be appointed by the Legislatures of the other States in the Union, at Philadelphia, on the second day of may next, & with them to consider the trade & commerce of the United States; & how far an uniform system in their commercial intercourse & regulation, may be necessary for their common interest & permanent harmony;

And also to consider, how far it may be necessary to alter any of the articles of the present Confederation, so as to render the Constitution of the federal Government, more adequate to the exigences of the Union; & what further powers may be necessary to be vested in Congress for the common welfare & security, & with them to form a report for that purpose;—Such alterations & additions as may be made, to be however consistent with the true republican spirit & genius of the present articles of Confederation.

Provided, that the said Commissioners on the part of this Commonwealth, are hereby particularly instructed, by no means to interfere with the fifth of the articles of the Confederation, which provides, “for the annual election of Delegates in Congress, with a power reserved to each State, to recall its Delegates or any of them, within the Year, and to send others in their stead for the remainder of the Year—And which also provides, that no person shall be capable of being a Delegate, for more than three years in any term of six years, or being a Delegate, shall be capable of holding any Office under the United States, for which he, or any other for his benefit, receives any salary, fees, or emolument of any kind.”

The report of the said Commissioners, from the several Legislatures, to be laid before the United States in Congress assembled, to the intent, that if they shall judge it proper, they may recommend the said report or any part of it to the Legislatures of the several States for their consideration; and if agreed to by them, that the same may become a part of the Confederation of the United States.

And if any of the Commissioners who shall be appointed by the General Assembly, shall resign, or by death, or otherwise, be prevented from attending the said Convention, it shall be in the power of the Governor with the advice of Council to supply any vacancy that may take place as aforesaid, and he is requested to supply such vacancy accordingly.

Cite as: *The Documentary History of the Ratification of the Constitution Digital Edition*, ed. John P. Kaminski, Gaspare J. Saladino, Richard Leffler, Charles H. Schoenleber and Margaret A. Hogan. Charlottesville: University of Virginia Press, 2009.  
Canonic URL: <http://rotunda.upress.virginia.edu/founders/RNCN-01-01-02-0006-0008-0001> [accessed 09 May 2012]

Original source: *Constitutional Documents and Records, 1776–1787, Volume I: Constitutional Documents and Records, 1776–1787*

## **Maryland Act Electing and Empowering Delegates**

26 May 1787

An ACT for the appointment of, and conferring powers in, deputies from this state to the federal convention.

Be it enacted, *by the general assembly of Maryland*, That the honourable James McHenry, Daniel of Saint Thomas Jenifer, Daniel Carroll, John Francis Mercer, and Luther Martin, Esquires, be appointed and authorised, on behalf of this state, to meet such deputies as may be appointed and authorised by any other of the United States to assemble in convention at Philadelphia, for the purpose of revising the federal system, and to join with them in considering such alterations, and further provisions, as may be necessary to render the

federal constitution adequate to the exigencies of the union, and in reporting such an act for that purpose to the United States in congress assembled, as, when agreed to by them, and duly confirmed by the several states, will effectually provide for the same; and the said deputies, or such of them as shall attend the said convention, shall have full power to represent this state for the purposes aforesaid; and the said deputies are hereby directed to report the proceedings of the said convention, and any act agreed to therein, to the next session of the general assembly of this state.

Cite as: The Documentary History of the Ratification of the Constitution Digital Edition, ed. John P. Kaminski, Gaspare J. Saladino, Richard Leffler, Charles H. Schoenleber and Margaret A. Hogan. Charlottesville: University of Virginia Press, 2009.

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Original source: Constitutional Documents and Records, 1776–1787, Volume I: Constitutional Documents and Records, 1776–1787