Show me that age and country where the rights and liberties of the people were placed on the sole chance of their rulers being good men without a consequent loss of liberty! I say that the loss of that dearest privilege has ever followed, with absolute certainty, every such mad attempt.

—Patrick Henry, 1788

Introduction
Patrick Henry's fame rested largely on his oratorical skills, which he employed in the cause of liberty. Henry was one of the most persuasive speakers of his time. His oratory differed from that typical of the period in that Henry rarely made allusions to classical texts. Instead, imitating the reviver-preachers he had heard as a boy during the Great Awakening, he filled his speeches with Biblical allusions and Christian symbolism. Henry's persuasive speaking style converted the hearts of many. At the same time, however, his abrasive nature could alienate others. After battling Henry on revisions to the Virginia Constitution, Thomas Jefferson became exasperated. “What we have to do I think,” Jefferson suggested to James Madison, “is devoutly to pray for his death.”

Henry was an articulate spokesman for American liberty during the crisis with Great Britain. After the United States won independence, he became a leading Anti-Federalist and opponent of the new Constitution. Henry feared that the new government would destroy individual rights and the authority of the states. His insistence that a bill of rights at least be attached to the document did much to make the first ten amendments to the Constitution a reality. Henry believed his duty was to guard zealously the rights of his people. He knew that future generations of Americans would judge his efforts, and he hoped that “they will see that I have done my utmost to preserve their liberty.”

Relevant Thematic Essays for Patrick Henry
• Federalism
• Freedom of Religion
• Limited Government (Volume 2)
In His Own Words:
Patrick Henry
On the Constitution

Overview
In this lesson, students will learn about Patrick Henry. They should first read as background homework Handout A—Patrick Henry (1736–1799) and answer the Reading Comprehension Questions. After discussing the answers to these questions in class, the teacher should have the students answer the Critical Thinking Questions as a class. Next, the teacher should introduce the students to the primary source activity, Handout C—In His Own Words: Patrick Henry on the Constitution, in which Henry warns the members of the Virginia Ratifying Convention that the new Constitution will produce tyranny in the United States. As a preface, there is Handout B—Context Questions, which will help the students understand the document.

Students will be divided into five groups, each of which will paraphrase a section of the document in one to two sentences. They will then jigsaw into new groups, and each group will present a one-minute version of Henry’s speech that retains the main ideas of the original. There are Follow-Up Homework Options that ask the students to compose a response to Henry’s speech by a defender of the Constitution and to examine the use of fear and sarcasm in Henry’s speeches. Extensions provides opportunity for thought as students are asked to compose a speech in the style of Henry about a contemporary issue which they have researched.

Objectives
Students will:
• explain why Henry is often called “The Orator of Liberty”
• understand Henry’s role in the American independence movement
• explain Henry’s objections to the Constitution
• analyze Henry’s speaking style

Standards
CCE (9–12): IIA1, IIC1, IIIA1, IIIA2
NCHS (5–12): Era III, Standards 3A, 3B
NCSS: Strands 2, 5, 6, and 10

Materials
Student Handouts
• Handout A—Patrick Henry (1736–1799)
• Handout B—Context Questions
• Handout C—In His Own Words: Patrick Henry on the Constitution

Additional Teacher Resource
• Answer Key

Recommended Time
One 45-minute class period. Additional time as needed for homework.
I. Background Homework
Ask students to read Handout A—Patrick Henry (1736–1799) and answer the Reading Comprehension Questions.

II. Warm-Up [10 minutes]
A. Review answers to homework questions.
B. Conduct a whole-class discussion to answer the Critical Thinking Questions.
C. Ask a student to summarize the historical significance of Patrick Henry.

Patrick Henry was one of the most radical leaders of the opposition to British tyranny. He became famous for his speech during the Parson's Cause of 1763 in which he denounced British misrule in Virginia. He also spoke out against the Stamp Act, claiming that only the Virginia legislature possessed the power to tax Virginia's citizens. During the American Revolution and soon after independence, Henry served in the state legislature and as governor of Virginia. He was a leading opponent of the proposed Constitution of 1787, which he feared would establish tyranny in the United States. Henry wanted a bill of rights added to the document, but he opposed as inadequate the twelve amendments sent to the states in 1789.

III. Context [5 minutes]
Briefly review with students the main issues involved in the debate between Federalists and Anti-Federalists. (The Federalists believed that the confederation would break up if the Constitution was not ratified. Anti-Federalists feared that a stronger central government would endanger the rights of the people.)

IV. In His Own Words [25 minutes]
A. Distribute Handout B—Context Questions.
B. Divide the class into five equal groups. Give each group one of the pages of Handout C—In His Own Words: Patrick Henry on the Constitution. Be sure that the students understand the vocabulary and the “who, what, where, and when” of the document.
C. Each group will be given the job of paraphrasing its assigned passage in one to two sentences that convey Henry’s main idea. Below each passage of Henry’s speech are aids for understanding the document: vocabulary words and their definitions, a list of relevant sections of the Constitution, and clues to understanding the passage.
D. Once all groups believe that they understand their assigned passage, jigsaw into five new groups (regroup the students so that each new group contains at least one “expert” from each of the original groups).
E. Tell each student to imagine that he or she is Patrick Henry and has been given one minute to deliver a speech at the Virginia Ratifying Convention. Give each group the task of editing the entire five-paragraph speech so that when read aloud, it takes no longer than one minute. Students should edit the speech sentence by sentence; that is, they should delete entire sentences, leaving complete sentences. Remind the students that they should retain the five main ideas that comprise the speech.
F. Once the groups have edited the speech to one minute, have each group select its best speaker to deliver its version to the entire class. Remind the speakers that Henry used emotion when making his speeches.
V. Wrap-Up Discussion [5 minutes]
After each speaker has given his or her group’s speech, conduct a large-group discussion to determine which group did the best job of summarizing the five main points of Henry’s speech. List these five main points on the board, making sure that the students understand them.

VI. Follow-Up Homework Options
A. Tell the students to imagine that they are delegates to the Virginia Ratifying Convention who favor the Constitution. Have each student compose a page-long response to Henry’s speech that addresses each of Henry’s five main points.
B. Using both Handout A and Handout C, have the students highlight phrases or sentences uttered by Henry in which he most successfully employs fear to arouse his listeners. Also have the students underline phrases or sentences in which Henry employs sarcasm to attack his opponents.

VII. Extensions
In his speech to the Virginia Ratifying Convention, Henry warned that some Americans wished to build a powerful empire at the expense of the people’s liberty. Some people today, echoing Henry, have argued that recent presidents have sought to expand the influence of the United States at the expense of the freedom of Americans. Have the students find a news article or editorial in which someone—a news commentator, government official, political candidate, etc.—makes such an argument. Then have the students compose a one-paragraph speech about the issue in the style used by Patrick Henry.
Resources

Print

Internet

Selected Works by Patrick Henry
• “Give Me Liberty or Give Me Death”: Speech of March 23, 1775, to the Second Continental Congress
• Speech of June 5, 1788, in the Virginia Ratifying Convention
I know not what course others may take; but as for me, give me liberty or give me death.

—Patrick Henry, 1775

Patrick Henry's imposing figure and confident voice commanded his fellow delegates' attention. Standing six feet tall and possessing flashing blue eyes, the fifty-two-year-old, self-taught lawyer had already earned a reputation in the state as a powerful speaker. As Virginia's leaders gathered in 1788 to consider ratification of the Constitution, Henry's opposition echoed through the hall. He warned that approval of the document would create a too-powerful central government that would eventually degenerate into a tyranny. “Away with your president!” Henry thundered. “We shall have a king: the army will salute him monarch; your militia will leave you, and assist in making him king, and fight against you: and what have you to oppose this force? What will then become of you and your rights? Will not absolute despotism ensue?” Henry's words were passionate and powerful, so much so that one delegate confessed that he felt imaginary iron shackles close around his hands as Henry spoke his warning.

Background
By all accounts, Patrick Henry was not a hard worker. Thomas Jefferson once called him “the laziest man in reading I ever knew.” Born in 1736 in Hanover County, Virginia, he was schooled mostly by his father, who expected him to be a farmer. Henry had little interest in either academics or farming. He was spellbound, however, by the revivalist Christian preachers who came to his town during the 1740s and 1750s. Their fiery oratory had a lasting effect on the young Henry.

When he was twenty-one years old, Henry and his brother became the owners of a general store that their father had established for them. But the brothers were poor businessmen. Within a year, the store had gone bankrupt. Henry married and tried his hand at farming and, for a second time, at storekeeping. Neither venture was successful. He then decided to teach himself the law. After studying for only a few weeks, Henry was admitted to the Virginia bar in 1760 at the age of twenty-three.

The Parson's Cause
Three years later, Henry argued a case that became known as the “Parson’s Cause.” In 1758, the Virginia House of Burgesses had passed the Two-Penny Act. This law had the effect of lowering drastically the salaries of the Virginia clergy, which were paid by wealthy Virginia planters. When the parsons protested to the king, the British government repealed the Two-Penny Act.

Several clergymen filed lawsuits to collect the money they had lost since the passage of the Two-Penny Act. They won their cases. In the Parson’s Cause of 1763, Henry was hired by a group of planters to argue their side when a jury was deciding the amount of money owed to a parson. Henry took advantage of the opportunity to make an hour-long speech denouncing the king’s repeal of the Two-Penny Act as “an instance of misrule” and perhaps tyranny. The king, he declared, should not interfere with Virginia's right to make its own laws.
Henry’s bold speech caused some in the courtroom to whisper that the lawyer’s words were treasonous. But Henry’s words persuaded the jury, who awarded the parson a mere penny in damages. After court was adjourned, most observers, who resented the king’s interference in Virginia’s affairs, cheered Henry. Several men hoisted Henry onto their shoulders and carried him to a local tavern, where they celebrated the victory for American liberty with vast amounts of liquor. In the course of an hour, Henry had made a name for himself in Virginia.

Tyranny and Revolution
In 1765, Henry was elected to the Virginia House of Burgesses. There he added to his fame by opposing the Stamp Act of 1765. Passed by the British Parliament, this law in effect placed a tax on legal documents, newspapers, and playing cards produced in the colonies. Henry introduced a series of resolutions to the House, one of which asserted that “the General Assembly of this Colony have the only and sole exclusive Right & Power to lay . . . taxes upon the Inhabitants of this Colony.” Again, Henry was not afraid of being labeled a traitor. “If this be treason,” he thundered, “make the most of it!”

By the 1770s, Henry had emerged as one of the most radical leaders of the opposition to British tyranny. In 1774, he represented Virginia at the First Continental Congress. The following year, Henry attended the second Virginia Convention. At St. John’s Church in Richmond, he urgently advised his fellow Virginians to take arms against the British. “Gentlemen may cry ‘Peace! Peace!’ but there is no peace,” Henry intoned. “The war is actually begun!” He closed his speech with the now legendary words: “I know not what course others may take; but as for me, give me liberty or give me death.”

Henry’s call to arms succeeded in drowning out the voices of those reluctant to go to war. Governor Lord Dunmore so feared the discontented colonists that he ordered the removal of the gunpowder from the Williamsburg Magazine and had it loaded onto a British ship. In response, Henry threatened to use the Virginia militia to reclaim Virginia’s property. In the end, the governor paid the colony for the powder.

In 1776, Virginia and the other colonies declared their independence from Great Britain. Henry served as the first governor of Virginia from 1776 to 1779. He then served in the Virginia House of Delegates from 1780 to 1784. As a member of the legislature, he championed a bill that would have required a tax for the general support of the Christian religion. But James Madison, also a member of the legislature, succeeded in defeating the proposal and winning passage of the Statute for Religious Freedom. This act provided for the separation of church and state in Virginia. In 1784, Henry was elected again to the governorship for a two-year term.

The Virginia Convention
In 1787, Henry received an invitation to participate in a convention whose purpose was to revise the Articles of Confederation. Saying he “smelled a rat,” Henry refused to attend what became the Constitutional Convention. He feared that the meeting was a plot by the powerful to construct a strong central government of which they would be the masters.

When the new Constitution was sent to Virginia for ratification in 1788, Henry was one of its most outspoken critics. Deeming liberty the “direct end and foundation” of government, Henry warned that the new Constitution would create a “consolidated” government in which power would be concentrated in the hands of a few. The document did not provide for adequate checks and balances and therefore did not protect the people against evil rulers. Henry was concerned that the Constitution also gave the central government the power of direct taxation. It also created a standing army, which Henry feared a power-hungry president could use to awe the people into submission.
Henry wondered aloud why the Constitution did not include a bill of rights. “Is it because it will consume too much paper?” he asked sarcastically. Henry believed that the absence of a bill of rights was part of the attempt by the few to amass power. The arguments of Henry and other Anti-Federalists compelled Madison, the leader of the Virginia Federalists (supporters of adoption of the Constitution), to promise the addition of a bill of rights to the Constitution once the document was approved. But Henry warned his Anti-Federalist allies that Madison’s promise was an empty one. Henry’s passionate appeals, however, failed to sway the convention. After twenty-five days of heated debate, on June 26, 1788, Virginia became the tenth state to ratify the Constitution.

A Respected Statesman
Henry refused to serve in the new government. “Some of its leading principles,” he told a friend, “are subversive of those to which I am forever attached.” But Henry did not give up the fight for liberty. He continued to call for a bill of rights, and his efforts forced Madison, who was a candidate for a congressional seat, to promise voters that he would work to add a bill of rights to the Constitution.

In 1789, the first Congress of the United States sent a list of twelve amendments to the states. Henry believed that these amendments did not adequately safeguard the rights of the people and the states. He therefore did not support them, instead calling for a new convention to revise the Constitution. Nevertheless, Virginia approved all twelve amendments, and ten of these were ratified by the required number of states and added to the Constitution in 1791. These ten amendments became known as the Bill of Rights.

Thwarted in his efforts to put together a second Constitutional convention, Henry returned to his plantation at Red Hill, Virginia. There he resumed his law practice. Unlike most former Anti-Federalists, Henry did not join the Republican Party formed by Thomas Jefferson and James Madison in the 1790s. He disliked both men and, as a devout Christian, was disgusted by the enthusiasm of many Republicans for the atheistic French Revolution.

Nor did Henry immediately ally himself with the new Federalist Party, which included most members of the Washington administration. In 1795 and 1796, Henry turned down offers from George Washington first to serve as secretary of state and then chief justice of the supreme court. President Washington, however, did persuade Henry to run for election for a seat in the Virginia legislature in 1799. Henry won the election but died before the legislature formally convened.
Excerpts from Patrick Henry’s Speech of June 5, 1788, in the Virginia Ratifying Convention

Answer the following questions.

a. When was this document written?

b. Where was this document written?

c. Who wrote this document?

d. What type of document is this?

e. What was the purpose of this document?

f. Who was the audience for this document?
IN HIS OWN WORDS:
PATRICK HENRY ON THE CONSTITUTION

Excerpts from Patrick Henry’s Speech of June 5, 1788, in the Virginia Ratifying Convention

Directions: Each group should paraphrase its assigned passage in one to two sentences that convey Henry’s main idea. Below each passage of Henry’s speech are aids for understanding the document.

1. Majority Rule

This, sir, is the language of democracy—that a majority of the community have a right to alter government when found to be oppressive. But how different is the genius of your new Constitution from this! How different from the sentiments of freemen that a contemptible minority can prevent the good of the majority! . . . If, sir, amendments are left to the twentieth, or tenth part of the people of America, your liberty is gone for ever. . . . It will be easily contrived to procure the opposition of the one-tenth of the people to any alteration, however judicious. . . .

Vocabulary:
  a. genius = nature
  b. contemptible = disgraceful
  c. contrived = arranged
  d. procure = obtain
  e. alteration = change
  f. judicious = sensible

Relevant Section(s) of the Constitution:
Article V: Amendment Process

Clues to Understanding the Passage:
The amendment process states that the approval of three fourths of the states is necessary for any proposed amendment to be enacted. In a union of thirteen states, an amendment would require the approval of ten states. The opposition of any four states—even those with small populations—would kill an amendment.

Excerpts from Patrick Henry's Speech of June 5, 1788, in the Virginia Ratifying Convention

2. A Standing Army

A standing army we shall have, also, to execute the execrable commands of tyranny, and how are you to punish them? Will you order them to be punished? Who shall obey these orders? Will your mace-bearer be a match for a disciplined regiment? In what situation are we to be? The clause before you gives . . . an exclusive power of legislation, in all cases whatsoever, for ten miles square, and over all places purchased for the erection of forts, magazines, arsenals, dockyards, etc. What resistance could be made? The attempt would be madness. . . .

Vocabulary:
   a. execrable = repulsive
   b. mace = a primitive weapon
   c. regiment = a unit of soldiers in the army
   d. arsenal = place where weapons are stored

Relevant Section(s) of the Constitution:
   • Article I, Section 8, Clause 12: “[The Congress shall have the power] to raise and support armies.”
   • Article I, Section 8, Clause 17: “[The Congress shall have the power] to exercise exclusive legislation in all cases whatsoever, over . . . the seat of the government of the United States.”

Clues to Understanding the Passage:
Americans traditionally feared a “standing army,” a permanent force consisting of professional, paid soldiers. Instead, most Americans favored defending their country with militia, part-time citizen-soldiers.

Excerpts from Patrick Henry’s Speech of June 5, 1788, in the Virginia Ratifying Convention

3. Liberty vs. Empire

If we admit this consolidated government, it will be because we like a great, splendid one. Some way or other we must be a great and mighty empire; we must have an army, and a navy, and a number of things. When the American spirit was in its youth, the language of America was different; liberty, sir, was then the primary object. . . . But now, sir, the American spirit, assisted by the ropes and chains of consolidation, is about to convert this country into a powerful and mighty empire. If you make the citizens of this country agree to become the subjects of one great consolidated empire of America, your government will not have sufficient energy to keep them together. Such a government is incompatible with the genius of republicanism. . . .

Vocabulary:
- consolidated = powerful
- splendid = magnificent
- convert = change
- sufficient = enough
- incompatible = unable to coexist
- genius = nature

Relevant Section(s) of the Constitution:
Henry is referring to many passages of the Constitution, and in particular to the following clauses:
- Article I, Section 8, Clause 12: “[The Congress shall have the power] to raise and support armies.”
- Article I, Section 8, Clause 13: “[The Congress shall have the power] to provide and maintain a navy.”

Clues to Understanding the Passage:
Opponents of the Constitution often charged that the document would create a consolidated government—one in which too much power would be concentrated in the central government and too little power would be given to the states. Henry voiced the concerns of many Americans that liberty and empire were incompatible. (Note that in the second sentence Henry is being sarcastic.)

Excerpts from Patrick Henry’s Speech of June 5, 1788, in the Virginia Ratifying Convention

4. Good and Bad Rulers

This Constitution is said to have beautiful features; but when I come to examine these features, sir, they appear to me horribly frightful. . . . It is on a supposition that your American governors shall be honest that all the good qualities of this government are founded; but its defective and imperfect construction puts it in their power to perpetrate the worst of mischiefs should they be bad men; and, sir, would not all the world, blame our distracted folly in resting our rights upon the contingency of our rulers being good or bad? Show me that age and country where the rights and liberties of the people were placed on the sole chance of their rulers being good men without a consequent loss of liberty! I say that the loss of that dearest privilege has ever followed, with absolute certainty, every such mad attempt.

Vocabulary:
- supposition = assumption
- perpetrate = commit
- mischiefs = harm
- distracted folly = unthinking foolishness
- contingency = possibility
- consequent = resulting

Relevant Section(s) of the Constitution:
Henry is referring in general to the powers given to members of the legislative, executive, and judicial branches in Articles I, II, and III, respectively.

Clues to Understanding the Passage:
Opponents of the Constitution charged that the document did not include enough checks on the powers of those who held federal office.

Excerpts from Patrick Henry’s Speech of June 5, 1788, in the Virginia Ratifying Convention

5. The President, a Tyrant

If your American chief be a man of ambition and abilities, how easy is it for him to render himself absolute! . . . If we make a king we may prescribe the rules by which he shall rule his people, and interpose such checks as shall prevent him from infringing them; but the president, in the field, at the head of his army, can prescribe the terms on which he shall reign master. . . . Can he not, at the head of his army, beat down every opposition? Away with your president! We shall have a king: the army will salute him monarch; your militia will leave you, and assist in making him king, and fight against you: and what have you to oppose this force? What will then become of you and your rights? Will not absolute despotism ensue?

Vocabulary:

a. ambition = determination to have fame or power
b. render = make
c. absolute = total
d. prescribe = set down
e. interpose = to put between
f. infringing = violating
g. reign = rule as
h. despotism = tyranny
i. ensue = follow, develop

Relevant Section(s) of the Constitution:

Henry is referring to the powers given to the president in Article II and particularly to the following passage:

- Article II, Section 2, Clause 1: “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.”

Clues to Understanding the Passage:

Many opponents of the Constitution feared that the president would become a king.