

The Articles of Confederation

The First US Government

After reading this chapter, you will know

1. why a new constitution for the United States was written in 1787.
2. in what ways the new constitution differed from the old one.
3. why a Bill of Rights was added to the Constitution.
4. how to interpret a political map of the original 13 states.

It was a warm afternoon in the middle of May 1787. Seated in his Philadelphia garden, Benjamin Franklin heard the city's church bells chime and clang. The bells were announcing the arrival in Philadelphia of a famous visitor from Virginia, George Washington. A few hours later, Washington appeared at Franklin's door. At the age of 81, Franklin was hobbled with age and could hardly walk. But he could still impress anyone with his sparkling intelligence. He greeted the Virginian warmly and chatted with him for the rest of a pleasant afternoon.

In 1787, Washington was no longer a military leader. Four years before, in 1783, he had said farewell to the army that he had led to victory against the British. He had hoped to be permanently retired from the cares of public life. But he recognized

that his country was again in crisis. The United States was a new republic struggling to hold its own in a hostile world governed by kings. The original plan of government that had been created for the American nation was not working. Something had to be done to strengthen it.

So Washington and other able Virginians traveled north to Philadelphia to attend a political *convention* there. Franklin too would be attending the convention as a delegate from Pennsylvania. The early arrivals had to wait almost two weeks before the slow-moving stage coaches and sailing ships brought to Philadelphia the delegates from the other states.

On May 25, 1787, the delegates held their first official meeting. The discussions and arguments continued all through the spring and summer. Finally, after four months of work, the weary delegates emerged from their meetings with a printed document. It bore the title: The Constitution of the United States.

Today, this document is admired by millions—not just by Americans but by people of many nations. The Constitution created by Washington, Franklin, and others has stood the test of time. It seems to work just as well today as it did over 200 years ago.

Were Washington and Franklin as confident as we are about the document they produced? No, they were much less certain of final success. All 55 delegates at Philadelphia had grave doubts about certain clauses in the Constitution. In this chapter, you will read about their doubts. You will



BENJAMIN FRANKLIN. Franklin was famous for his inventions: a lightning rod, a stove, and bifocal glasses. His final achievement was working with other delegates to create a new form of government. Do you think a constitution should be created (a) by a group of people, or (b) by a single talented individual like Franklin?

also read about the decisions they made that produced a strong and enduring plan of government.

Let these questions guide your study:

1. In what ways was the first U.S. government weak?
2. What issues were debated at Philadelphia?
3. How did the delegates settle their differences?
4. How was the Constitution debated and ratified?

The First US Government

We need to understand why Washington, Franklin, and others met in Philadelphia in 1787 to design a new government. Let us

look back to points made earlier about the history of American government.

Points to Remember: Recall these important facts and ideas from Chapters 2 and 3:

1. A constitution is another word for a system of government. It answers questions like these: Who shall have power to make the laws? Are there any limits to the government's lawmaking power? Should elections be held and if so, how often?
2. Thirteen American states from New Hampshire to Georgia had originally been colonies of England. In the early 1700s, each colony had its own elected legislature. The colonists jealously guarded their rights to participate in government. Thus, Americans were self-governing long before they won their independence as a nation.
3. Beginning in 1765, Americans like Patrick Henry feared that Britain intended to deprive them of their rights, or liberties. They protested taxes imposed upon them without their consent. Fighting broke out between British troops and American farmers.
4. Meeting in Philadelphia in 1776, delegates from the 13 colonies decided to form a new nation, the United States of America. One delegate, Thomas Jefferson, drafted one of the most influential documents in world history: the Declaration of Independence. It stated this revolutionary idea: "We hold these truths to be self-evident, that all men are created equal."
5. From the day of its founding, the United States was unique among the nations of the world. Its government was a republic, not a monarchy. Preserving liberty was a major goal.
6. Those who write a new constitution must make difficult choices. At one extreme is

the choice of a unitary form of government in which all power belongs to the national government. A second choice is the confederate form in which member states are nearly independent, and the national government cannot control them. Between these two extremes is a third choice known as federalism (national and state governments sharing power).

So ends our review of six points you already know. They are the foundation for understanding the story that follows.

Loyalty to state government The first constitution of the United States provided for a government of the confederate type. Adopted in 1781, this constitution was known as the Articles of Confederation.

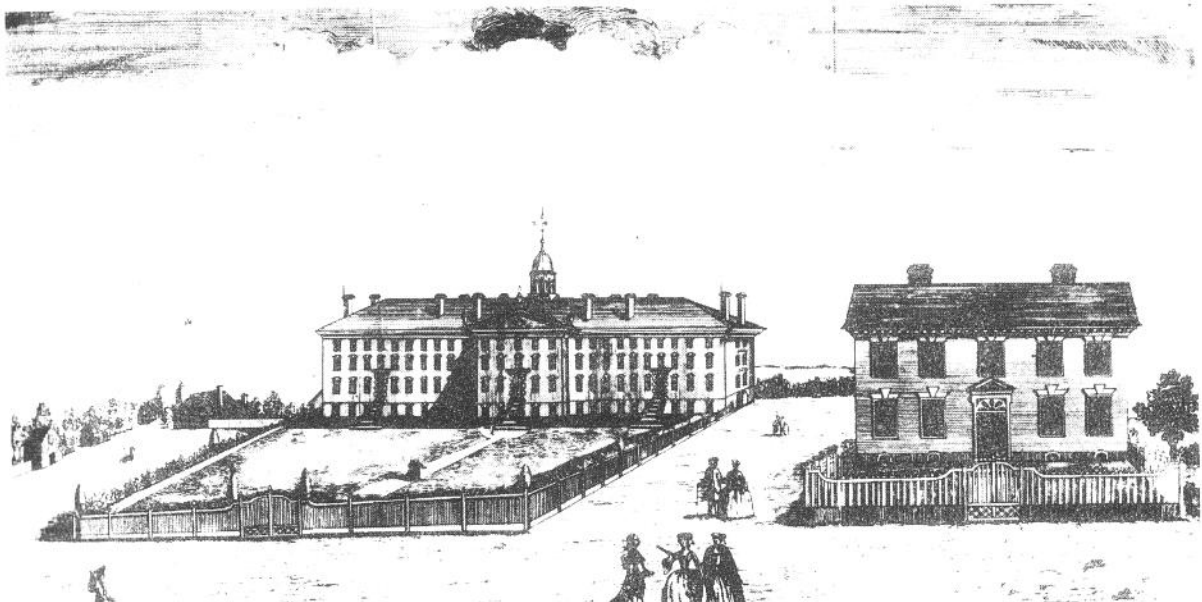
In the 1780s, the United States of America was a brand-new idea. By comparison, the colonial governments of Massachusetts and Virginia had existed for more than 150 years. Most other colonies were at least 100 years old. People were used to being citizens of New Hampshire or Pennsylvania or North Carolina. They were not at all used to being

citizens of the United States. Also, they feared that a strong central government might eventually crush their liberties. Therefore, in 1781, most Americans wanted their familiar state governments to be stronger than an untried national government.

The Articles of Confederation Let us look at the document that created the first government of the United States. The Articles of Confederation stated the following:

1. Each state was to keep its "sovereignty, freedom, and independence."
2. All states pledged to "enter into a firm league of friendship" and to assist each other when threatened by foreign armies.
3. Delegates from each state would meet together as a United States Congress.
4. A state could send as many as seven delegates to Congress. But the state delegation (group of delegates) had to vote as a single unit. (Example: the seven delegates from Pennsylvania could cast only one vote for or against a proposed law.)
5. No state could go to war unless Congress consented to it.

NASSAU HALL, THE U.S. CAPITOL IN 1783. This building (center) at Princeton College in New Jersey was one of the places where Congress met during the American Revolution. What document defined the powers of Congress in 1783?



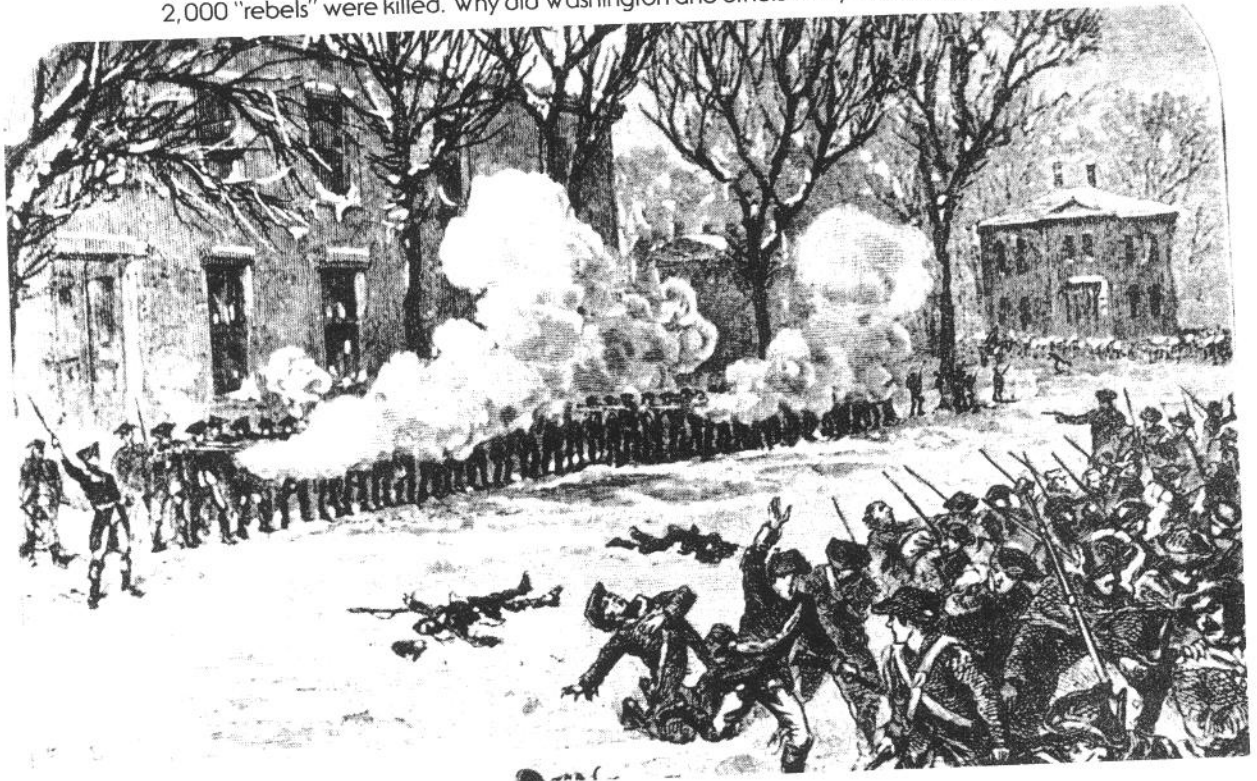
6. States were to pay what taxes they could into a "common treasury." Money collected in this way would be used to pay Congress's expenses.
7. A committee of Congress could elect a president for a term of one year. But this president had no executive power.
8. Any change in the Articles of Confederation had to be approved by all 13 state legislatures.

The Congress created by the Articles lacked many things: It lacked money because most states failed to pay enough taxes into the "common treasury." It lacked steady leadership because the president of Congress had little real authority. Congress lacked the means for enforcing its own laws. It lacked the respect of foreign governments because it

could not pay its debts. Often it lacked the number of delegates necessary to conduct business. Because it lacked these things, Congress lacked any real ability to govern.

A violent event caused many Americans to wonder whether their new nation could long survive under a weak government. The event occurred in western Massachusetts in the fall of 1786. Farmers there had almost no money and could not pay the taxes demanded by the state government. Many of them had fought as patriots in the American Revolution. And yet, for failing to pay taxes, a Massachusetts court tried to take away their property. The farmers resisted violently, taking up arms and marching together as a rebel army. The rioting farmers and their leader, Daniel Shays, were finally brought under control.

2,000 "REBELS." The followers of the Massachusetts farmer, Daniel Shays, were fired upon by the state militia to prevent them from attacking an arsenal. Three of the 2,000 "rebels" were killed. Why did Washington and others worry about the incident?



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The Articles of Confederation: Economic Problems

By Marquis Canaday

Inspired by the Iroquois Confederation, the Articles of Confederation were ratified by all colonies of America on March 1, 1781. It became the first written constitution of the United States of America which was signed by John Dickenson, Roger Sherman, and Benjamin Franklin and other men responsible for the creation of the United States Constitution in the future. Though the Articles did have some initial successes, also contained failures which had to be addressed. In 1785 at the Mount Vernon Conference, George Washington called the leading statesmen who served during the revolution. Alexander Hamilton, George Mason, James Madison and others participated in the discussions on how to repair errors located within the Articles. Charles Pinckney of South Carolina voiced his opinion suggesting that Congress should amend the Articles of Confederation granting Congress power over foreign and domestic commerce, and provide Congressional ability of money to be collected from state treasuries. In 1786, an Annapolis Conference, only five delegates came from five states. The next year, the state delegates met in Philadelphia.

Takeaways

The Articles of Confederation was the precursor to the United States Constitution.

One of the problems of the United States central government under the Articles of Confederation is that it had roughly no power to raise the money needed to repay the foreign and domestic debt incurred during the American Revolutionary War. What was the single source of revenues to fund the federal government (or central government) were requisitions to the state governments soliciting them to forward the state collected tax revenues from the federal government. The Articles of Confederation did not include any mechanism for any enforcement to ensure that the state government would send in the complete amount of funds which were requested. The funds were never sent. Second, each of the states had a vote in the federal Congress and all states were required to enact federal taxes by consent. This left the door open for a federal tax legislation blockage if one state did not cooperate. Each state possessed de facto power which created considerable decision making costs for United States Congress and prevented federal proposed import duties from being enacted under the Articles of Confederation. At home and abroad, the central government also fell short of having the legal power to put into effect uniform commercial regulations which could have been favorable to the development of a good trading area.

The Articles supported the direction of the Continental Army and allowed former colonies to grant a united front when dealing with the European powers. However, governmental central war making powers were extremely weak and were mainly a disappointing failure. Congress could make rules and could not enforce those rules made.

The Confederate government also possessed tentative authority to do business with foreign powers. The viability of the federal government was in compromise because it had problems raising money and repaying the existing debts. State and local government interference in trade was not really a problem, but, much of the commercial interests apparently held fear over the idea that any one or all of the state governments could become an economic wall in the future under the Articles of Confederation.

On June 21, 1788, the Articles of Confederation were replaced by the United States Constitution. Among the improvements located within the United States Constitution which lacked in the Articles of Confederation was more central power was given to the federal government. State governments could make their own constitutions but not supersede the American Constitution and only Congress could declare war, and not any of the states.

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Some of the Problems with the Articles of Confederation

By The Historian

It seems hard for many Americans to imagine a time before the Constitution, but America operated without it for several years. Although declaring independence from Great Britain in 1776, the American government did not operate under the Constitution until 1789. How was the government run until then? After 1781, the federal government was run under the Articles of Confederation. Although it provided for a central government, that central government was extremely weak and ineffectual. Indeed, its many weaknesses were the reason the delegates to the Constitutional Convention of 1787 met and why they decided to draft a new constitution.

The fundamental reason why the Articles of Confederation were so weak was the fact that many of the Founding Fathers were loath to give the federal government too much power. They had just been subjected to perceived tyranny from Great Britain and they had little desire to replace one despot for another. They feared that they if they gave the federal government too much power, that it would continue to grow until it threatened their civil liberties and the rights of their states. Therefore, many of the Founding Fathers liked the idea of the states retaining most of the power. They felt that states were more in tune with the wishes of the people and better represented their interests. Thus, they favored granting more power to the states than to the central government.

Because of their distrust of federal governments, the Articles of Confederation created an extremely weak central government. It had no executive branch and it severely restricted the powers of the legislative branch. Congress was not authorized to raise taxes or to regulate trade in any way. On the other hand, the states had the power to raise their own armies, coin their own money, and negotiate their own treaties with foreign nations. Because Congress had no power to compel any state to do what it said, Congress was powerless to prevent the states from undermining each other and the federal government.

These restrictions were complicated by the idea that it was very difficult to actually pass anything in Congress. Nine of the 13 states had to agree on any bill before it became law and it required a unanimous decision on the part of all 13 states before any changes to the Articles of Confederation could be ratified. Obviously, among people who identify more with their state than with their country, it was difficult to achieve the needed majority to pass legislation. Even if Congress managed to get the necessary majority, it relied on the states to voluntarily give Congress the necessary money to carry those laws out. It also relied on the states to voluntarily enforce the laws because the Congress had no right to compel the states to comply with the laws Congress passed.

Within a few years, many of the Founding Fathers realized that this loose confederation of states was doomed to failure. Therefore, many decided that the only way for the former American colonies to be successful at self government was to draw together in a closer union. These beliefs culminated in the Constitutional Convention which created the Constitution of the United States.

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