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Challenges of the Articles of Confederation

Explain the relationship between key provisions of the Articles of Confederation and the debate over granting the federal government greater power formerly reserved to the states.

The disputes over good government were tested in the crucible of time following the American Revolution. For many this was our most “critical period.” Many of the ideas espoused by the Anti-Federalists were embodied in the first constitution that governed our new nation. The government under the Articles of Confederation successfully waged war against England and negotiated its peace. It oversaw the expansion of the Northwest Territory including a plan for its proper settlement. It protected the rights of the people. Yet by most measurements the Articles of Confederation failed. A new constitution was called for in the summer of 1787. Better government was needed. **The Constitution emerged from the debate about the weaknesses in the Articles of Confederation as a blueprint for limited government.**

In establishing the Articles of Confederation in 1777 the 13 separate states agreed to join together and form the United States of America. As a “firm league of friendship” the 13 states joined together to defeat a common enemy in England. The Articles of Confederation posited the greatest political authority in the 13 respective states. When the struggle to defeat a common enemy was achieved the new unified government under the Articles had difficulty maintaining its authority. There were many salient weaknesses that grew all the more apparent after the American Revolution was won.

On paper the Articles of Confederation created a weak central government. A unicameral legislature, made up of state appointed representatives, was entrusted with little power. Worse, there was no executive to enforce laws that were passed. Without the ability to tax the new national government had insufficient funds by which to govern. Commerce between the states could not be regulated. It was impossible to maintain a standing army. Each state was given one vote and unanimity was required to bring about any substantive changes. George Washington lamented that the government under the Articles of Confederation consisted of “little more than the shadow without the substance.” It would be events in Massachusetts, however, between the years of 1786-1787 that provoked delegates again to join together to imagine the best form to give good government.

Angry mobs under the leadership of Daniel Shays, a veteran of the Revolution, joined together to protest Massachusetts’ debt collection practices in late 1786. In January of 1787 over 2,000 angry militiamen attempted to seize the federal arsenal in Springfield, Massachusetts. The state of Massachusetts was ill prepared to defend its assets. And certainly, the national government under the Articles of Confederation could be of little help. Leaders throughout the 13 states were alarmed at these events. A clarion call was made to meet up again in Philadelphia in the summer of 1787 to consider

recommendations to improve upon the weaknesses of the Articles. The result of this convention was a new constitution.

The new U.S. constitution was written to address the weaknesses of the Articles of Confederation. Our Founders created a bicameral legislature, a House and the Senate, granting each representative a vote when making laws. Rooted in compromise between the large and small states members of the House would be based upon population and directly elected by the people. The Senate would be apportioned equally, two per state, appointed by state legislatures. This government and its laws would be enforced by an energetic president indirectly selected by an Electoral College. A national judiciary appointed by the president and confirmed by the Senate would interpret laws. This government could levy taxes. It could regulate interstate commerce. Change by way of amendment would require proposals to receive a two-thirds vote by Congress and ratified by three-fourths of the states. This constitution would need 9 of the 13 states to be ratified.

The new U.S. Constitution enabled the central government to live up to the charge of good government. It seated sovereignty in the hands of the people. It provided for their defense and protected their inalienable rights. The proceedings that took place during the summer of 1787 in Philadelphia appeared to settle the debate over granting power to the federal government formerly reserved to the states. The U.S. Constitution attempted to make the central government stronger but not too strong. The “body politic” could be strong when united under a centralized sovereign.