

# American history – articles of confederation

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The Articles of Confederation were the supreme law of the land from March 1779 until the United States Constitution was ratified by the ninth state, New Hampshire in 1788.

Shortly after the beginning of the Revolutionary War, the Continental Congress formed a committee composed of one representative from each state to create a document that would provide for the a union of the thirteen independent states. The committee created the “ Articles of Confederation and Perpetual Union,” and submitted the document to the Congress as a whole.

Congress debated provisions of the articles off and on for over a year and, in 1777, submitted a compromise draft to the states for consideration as “ the only proposal that might afford ‘ any tolerable prospect of general ratification”” (Johnson, 1966).

Most of the states had ratified the Articles of Confederation by early 1779, but Maryland refused to do so until the question of Western Lands was settled. Once this was done, the Articles were ratified approximately two years later.

The Articles of Confederation provided for a “ firm league offriendship” (Axelrod 2000 & Johnson 1966) between the states. They provided for a permanent national Congress that consisted of delegates from each of the thirteen states. The size of the delegation could be no less than two members and no more than seven members. Regardless of the size of the delegation, each state had only one vote.

This provision provided the larger states with an opportunity for more representation in the Congress and its debates, but protected the smaller populated states from being dominated by the more populous states.

Congress was given authority over foreign policy, declaring war against foreign nations, making peace, and maintaining an army and navy. Congress also managed Indian affairs, had the power to regulate coinage, was authorized to establish a post office, was permitted to borrow money and settle disputes between the states.

Conspicuously absent was the authority for Congress to levy taxes. All powers not exclusively reserved for the Congress were retained by the states. All amendments to the Articles of Confederation had to be passed by the Congress unanimously (Johnson, 1966).

The Articles of Confederation were written with a view toward straddling the fine line between the rights of individual states and the need for national control of some aspects of government.

The United States was involved in a war against a country with a strong central monarchy. Therefore many of the people were concerned about giving any power to a central authority. In the case of the Articles of Confederation, the young nation erred in the direction of caution by giving too little power to the federal government.

The Articles of Confederation did not provide for an executive branch nor a judicial branch. As a consequence, there was no federal power to enforce any of the laws or directives Congress passed. Since Congress lacked the

power to levy taxes, it was unable to implement any programs or policies that required money without going into debt.

These deficiencies became apparent almost immediately. One example was the lack of funds to pay for needed arms and supplies during the war with England. Instead of trying to address this issue with the Articles of Confederation, the Congress was had elected not to provide for federal taxation and Congress was reduced to borrowing money and relying on the states for the needed funding.

By 1786, the limits of the Articles of Confederation were well-known. Congress met with the intention of revising the Articles into a more workable document. However, after debate it was determined that a better course than repairing the Articles of Confederation would be to write a new constitution.

Congress authorized a Federal Constitutional Convention that was charged with writing this new document. The United States Constitution was passed by the Constitutional Convention in 1787 and was sent to the states for ratification. The new constitution addressed many of the weaknesses of the Articles of Confederation, while still bearing in mind the issue of states' rights. This United States Constitution, although amended remains in effect today.

Although ultimately the Articles of Confederation needed to be, and were replaced, they were by no means a failure. Rather, they provided a much needed compromise between those most concerned about the rights of individual states and the need for a strong federal government. Given the

exigencies of the war with England, there wasn't time and opportunity to write a more thorough, more complete constitution.

The Articles of Confederation were sound in principle and provided a much needed bridge between the loosely aligned former colonies and the strong nation the United States became under the Constitution.

#### References

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