

Articles of confederation and the constitution



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The time between the American Revolution and the presidency of George Washington was one of learning, experimentation, and confusion. No patterns existed to model the new government being established for the thirteen American states. Although it would be incorrect to say that the government of the Articles of Confederation was a complete failure, it would be logical to advance the idea that the more powerful national government established under the constitution of 1787 was essential to the survival of the American Union.

Between the two documents there were some drastic differences of opinion on governing tactics as mentioned in the Articles of Confederation compared to the Constitution of 1787 (Doc. C). Major differences were composited of issues such as taxation powers, regulation of commerce, powers of the judiciary, and the executive and method of amendment. The Articles of Confederation were not a complete failure.

It set up a foundation for the Constitution of 1787 to base its standards and laws of governing on as far as knowing what had and had not worked and tweaking them to fit what was needed at that time. As mentioned earlier the Articles of Confederation compared to the Constitution of 1787 (Doc. C) clearly states that under the Articles of Confederation it was of value that states alone could levy taxes. Meanwhile congress would fund the Common Treasury by making requisitions for state contributions. Where as under the Constitution of 1787, the federal government would grant all powers of taxation.

This would benefit the states because while under the Articles of Confederation states were given an option to basically pay what they wanted when they want in turn making it difficult for the government to regulated money based of people's actions of not paying what was needed. Another major difference was mode of amendment including the views on representation. This could also trail the views of the regulation of commerce. The Articles of Confederation viewed the representatives' roles as one delegate who would represent each state where each state held one vote in congress.

They would also only have a single house in the national legislature. It also required confirmation by every state legislature as opposed to the three-fourths of the state conventions or legislatures. However the views under the Constitution of 1787 held two houses of congress, a house of representatives chosen by the people for a term of two years versus the annual term of its counter parting document. The U. S. senate would also be selected by the state legislature and serve terms of six years.

By having longer terms and a non-unanimous vote there was more consistency with governing tactics and cut down on petty problems due to disagreements. The articles of confederation also allowed congress to regulate foreign commerce by treaties as did the Constitution, however the Articles held no check on conflicting state regulations, but the Constitution states that all state regulation must obtain congressional consent. Executive and judiciary views differed vastly between the Articles of Confederation and the Constitution.

The Articles of Confederation preferred no separate executive branch where the constitution called for a separate executive branch. Although both agreed on electing one of their own as president the Articles elected annually while the constitution elected every four years. The biggest difference was the roles that the president played. Under the Articles of Confederation the president possessed no power of veto, nor did he possess power to appoint officers or conduct policy. Administrative functions of the government were theoretically carried out by the committee of the states and by various single-headed departments.

On a separate note dealing with the Constitution's views the president is in fact granted the power of veto, as well as the power to conduct policy and appoint ambassadors, judges, and officers of executive departments by legislation. The powers of judiciary differed in ways such as the Articles of Confederation stated that most adjudication was left to state and local courts and congress was the final court of appeal in disputes between the states. The Constitution had a separate branch consisting of the Supreme Court and inferior courts established by congress to enforce federal law.

In my opinion the two court systems was basically the same. There was at some point a final stop to appeal your case. In conclusion by comparing and contrasting what was done and how it worked out for the people , and the fact that we still use the views of the constitution today the Articles of Confederation was not a complete failure, yet it is still logical to advance the idea that the more powerful national government established under the constitution of 1787 was essential to the survival of the American Union.