

Lecture 3

The Historical Origins of the US System of Government, 2 First Democratic Attempt: The Articles of Confederation

The Founding Fathers produced the *Articles of Confederation* in 1781. That was the chief constitutional document of the United States from its adoption in 1781 until 1789, when it was replaced by the U.S. Constitution that still exists nowadays. The founding fathers wrote up the *Articles* in order to avoid what American colonists experienced under British rule.

The Founding Fathers viewed the British monarchy as a tyranny and the King as a despot. The Founding Fathers' fear from despotism and the abuse of concentrated political power urged them to design a central (i.e. national) government that had very limited powers. They believed the government should not become so strong that it would abuse its power as the English King had done.

The Articles of Confederation provided for the creation of a **confederacy**. The United States of America was thus in its early days a **league of independent states**. Each of the thirteen states had a single vote. There was a **unicameral legislature** (a congress) which had little power. All states were equal, regardless of their size or population.

The central government was embodied in the **Congress**. It was made up of delegates chosen by the states. The Congress had the power to conduct foreign relations. It could declare war, make treaties, and create an army and a navy. It could also coin money.

Under the *Articles of Confederation*, the United States was thus a confederacy. Among the measures and important achievements of the period under the *Articles*, one can note the negotiation of the **Treaty of Paris** (1783) which ended the War of Independence, and the passing of the **Northwest Ordinance** (1787), which provided for further settlement in the West, and the integration of some future states to the Union.

The government was constituted of a unicameral legislative body, meaning it had only one house. Each State had one vote. There was no President. It was among the many prerogatives of the states to execute laws. There was also no national judicial branch. Each

state had its own judicial system.

Laws passed by Congress, however, required the approval of 9 of the 13 states. The national government was severely limited in its powers.

- It could not raise money by collecting taxes. This was a prerogative of the states.
- It had no control over foreign commerce. States were free to trade with foreign countries.
- It could not regulate trade between the states. The latter were free to tax each other.
- It could pass laws but could not force the states to comply with them. Thus, the government was dependent on the willingness of the various states to carry out its measures, and often the states did not execute the laws passed by the national congress.
- It could not draft soldiers. That was a prerogative of the states.

These defects provided an insurmountable barrier to effective constitutional government. The United States could not impose a uniform and consistent economic policy to pay off the debt of the revolutionary war collectively. It thus appeared as an incoherent country in international scene, as a group of independent nations. This weakened its international status and it could not borrow money. Additionally, there were commercial quarrels among states and they began taxing each other.

The Founding Fathers realized that a stronger central administration was needed if the United States was to survive. In 1787 the Constitutional Convention met in Philadelphia to draw up a constitution, which was adopted in 1789.

References

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