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| PROJECT TITLE:<br><div style="text-align: center; color: red; font-weight: bold;">Articles of Confederation or Articles of Confusion?</div> |                                                                                                    |
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## SCHOLARSHIP & RESEARCH

1. **Primary Investigative Question(s)** – Why were the Articles of Confederation so weak that they would have caused the government to fail if they had not been changed?

### **Contextual Essay** –

The Articles of Confederation were the United States of America’s first government. Written just days after the signing of the Declaration of Independence, they underwent several revisions and ultimately were not ratified until March 1, 1781. Perhaps the reluctance to ratify the document provides a foreshadowing of what was to come. The Articles of Confederation were a weak document that did not protect the fledgling nation against problems that were both foreign and domestic in nature.

For a new union to overcome what many founding fathers considered an oppressive rule by Great Britain, a formal government was needed in the colonies. Written in the context of their time, the thirteen articles were written to reflect a government that would not be able to do things that the King and Parliament had done. The thirteen Articles comprising the Articles of Confederation stated the following provisions. The new country was named the United States of America but each state was established as free and sovereign. Each state wanted to retain its own power. The states were established as a “firm league of friendship” where citizens could freely travel between states and have equity. This new government consisted of a Congress where each state had one vote. The states could not deal in foreign relations, create treaties, or set up a standing navy or army, but were expected to have a militia. The new nation had a common treasury to supply the military, which the states were supposed to supply through taxes raised within each state by real estate. The colonists had grown tired of “taxation without representation” and, therefore, did not want the government to have the power to tax the states, the basis for Article 8. Congress dealt with foreign nations on issues of war, ambassadors, and treaties. Congress also set the value of coin but had no authority to create a common currency. This Congress could also borrow money. The Confederation Congress was necessary for dealing with foreign issues, drawn out in detail in Article 9. This body is closest to any type of executive power in the Articles of Confederation. Of course, the colonists did not want one person to head the government because they had grown tired of the monarchy in Great Britain. Any action by Congress required affirmation of nine states (roughly three-quarters). There was also an article inviting Canada to join the United States. The final articles allowed the United States to take on all debts of the former colonies and established the Articles as supreme, any amendments requiring unanimous agreement (Hoffert 34). Even though this was clearly a form of government, many nations at first did not recognize the United States as a sovereign nation due to their

Congress which did not have one person in charge. These articles directed at preventing a usurpation of power would ultimately make the young country unravel.

During the American Revolution, the United States lacked money. Congress was given the power to borrow money. Ambassadors or emissaries such as Benjamin Franklin, Thomas Jefferson, and John Adams were given the task of petitioning foreign powers for money to keep the war going. John Adams, as emissary to Holland, wrote to Congress frequently about borrowing money and how he was not being acknowledged formally by the Dutch because they were reluctant to accept the United States as a sovereign nation. Although Article 9 detailed the powers of Congress to appoint ambassadors, enter into treaties, and borrow money, there was no guarantee that other nations would pay any attention to the new government set up in the colonies. He wrote to Benjamin Franklin from Amsterdam in May of 1781, "It seems to me of vast Importance to Us, to obtain an acknowledgement of our Independence from as many other Sovereigns as possible, before any Conferences for Peace shall be opened." He despaired over America's credit in the eyes of the world. As Staloff points out in *Hamilton, Adams, Jefferson*, "What hope could he or any other emissary have to raise money from the Dutch, Europe's principal lenders, in such circumstances," the circumstances of not being able to regulate trade or even repay debts and therefore, having no credit abroad (Staloff 165). Adams wrote many letters concerning trade between the great powers of the world. After all, trade is what made a country thrive or die and technically, the government structure did not allow Congress to regulate trade. He also wrote that in Amsterdam, "[t]he public Voice here is well decided against England." Adams is the face behind America's recognition by a nation state other than France, which would be vital for the young United States.

Following the Revolution, America struggled to be truly recognized by the rest of the world. Although the United States was recognized as sovereign through the Treaty of Paris, more established nations would "encroach" on the new nation. Domestically, how could a nation protect itself without the protection of a standing navy or army? Moreover, how could a country that was nearly bankrupt be seen as one to be feared? The United States of America was struggling to maintain trade on the Mississippi River as Spain began to push for control of it. James Madison, in letters to Lafayette, Jefferson, and Monroe, wrote often about Spain and the issue of the Mississippi River. In a letter to Lafayette Madison wrote, "The repugnance of Spain to an amicable regulation of the use of the Mississippi, is the nation offspring of a system, which every body but herself has long seen to be as destructive to her interest, as it is dishonorable to her character." He continued, "She is afraid of the growth and neighbourhood of the U. States because it may endanger the tranquility of her American possessions: and to obviate this danger she proposes to shut up the Mississippi." A few months later, Madison wrote to Monroe, "Must we remain passive victims of foreign politics; or shall we exert the lawful means which our independence has put into our hands, of extorting redress." Unfortunately, the Confederation Congress lacked the power and funds to be forceful, as under Article 6 there could not be a standing army or navy in a time of peace and as the war was over, public funds were not being collected as asked for under Article 8.

Domestically, the Articles of Confederation failed to provide the structure and strength needed for the victorious Americans. James Madison also wrote various letters about domestic problems concerning money, trade, and what he saw as *Vices of the Political System of the United States*. In *Vices*, Madison mentioned "encroachments" that states made that violated the Articles of Confederation. Specifically, he wrote, "Treaties of Georgia with the Indians—The unlicensed compacts between Virginia and Maryland, and between Pena. & N. Jersey—the troops raised and to be kept up by Massts." He wrote about how states were refusing to trade with other states and the particular problem of paper money circulating, unregulated by the federal authority. Winik writes that "each state jealously guarded its own independence, its self-rule, and its sovereignty" (Winik 55). Madison made an argument that explains why the Articles of Confederation failed because, "[in] some States the Confederation is recognized by, and forms a part of the constitution. In others how ever it has received no sanction that that of the Legislative authority." Congress became a "weak and wayward instrument" (Winik 56). Madison's "Vices" also alluded to the problem that made the founders realize the need for revision--troops in Massachusetts—Shays' Rebellion.

George Washington said the year before the Constitution was written, “What a triumph for the advocates of despotism, to find that we are incapable of governing ourselves and that systems founded on the basis of equal liberty are merely ideal and fallacious.” The United States was in a great deal of turmoil in 1786. It had survived the American Revolution victoriously but the rebellious states were in need of a more cohesive government. Shay’s Rebellion proved this point when former Revolutionary War captain Daniel Shays attempted to lead an insurrection against Massachusetts over property taxes owed to the government. The men involved had seen paper money, because of inflation, become nearly valueless. The Massachusetts government was requiring taxes be paid in cash, which was impossible for poor farmers. Failure to pay taxes would result in prison and, therefore, these farmers banded together to seek retaliation. When they were given no relief, they decided to take action. Although the armed uprising was put to a quick end, it is this rebellion that proved the need for a reformed government.

In conclusion, the Articles of Confederation served the purpose of uniting the colonies in independence against a common foe. Americans found it easy to join the confederation when a common goal was in sight- getting the British out of America. However, as time went on, flaws in the Articles began to show and states became uncooperative in an attempt to preserve their own independence. These problems at home and abroad, especially with regard to treaties and borrowing money, would be the undoing of the Articles of Confederation. Revision would be impossible considering the unanimity required for change. The Articles of Confederation were a noble attempt at a new government but were unable to fully protect the new nation from crises at home and looming on the western frontier and the high seas.

## 2. Annotated Bibliography –

Adams Papers Digital Edition. (n.d.). *Massachusetts Historical Society, an Independent Research Library Founded in 1791*. Retrieved March 15, 2010, from <http://www.masshist.org/ff>

Summary: This is an extensive database of all of John Adams letters. The letters from when he was serving in Holland as an emissary for the United States are of particular interest. He wrote to Benjamin Franklin often concerning issues of credit, trying to borrow money, and trying to receive acknowledgement of the United States as a nation. Many of these letters help one to understand the global problems facing the United States.

Dougherty, K. & Cain, M.J. (1997) Marginal cost sharing and the Articles of Confederation. *Public Choice*, 90, 201-213.

Summary: The article is about costs under the Articles of Confederation. It discusses how money was needed to make the government run effectively and how the government was very dependent on the public treasury supplied by the states. Although the article is mainly a lot of math equations, the beginning mentions a few examples of problems the United States faced with other nations of the world.

Dougherty, K.L. (2001) Collective action under the Articles of Confederation. *Public Choice*, 109, 205-209.

Summary: This article discusses the Articles of Confederation problems that were due to lack of funds. Because states did not pay their requisitions, the treasury began to print its own money. Amendments were unsuccessful due to failure to achieve unanimity and ultimately, Shays’ Rebellion caused the government to have to take a much harder look at the structure of the federal government. The article also briefly mentions “renewed hostilities with Britain” as a concern.

Hoffert, Robert W. (1992), *A Politics of Tension*, Niwot, Colorado: University Press of Colorado.

Summary: Chapter 2 provides an overview of the Articles of Confederation. It goes into the details of what each article could do and how some of the requirements became too stringent to be effective. The chapter introduces the idea that there was no need for the coercion of the thirteen states due to a sense of egalitarian sentiment among them. It also gives a lot of explanation on the Articles of Confederation Congress and discusses the states' vigorous desire for states' rights.

Index of /jm. (n.d.). *Constitution Society Home Page*. Retrieved March 17, 2010, from <http://www.constitution.org/jm>

Summary: This website also provides a database of James Madison's letters. Madison writes on various topics of foreign and domestic issues faced by the United States. Also included is his "Vices of the Political System of the United States", an overview of everything wrong, in his view, with the confederation government.

Mount, S. (n.d.). Constitutional Topic: Articles of Confederation - The U.S. Constitution Online - USConstitution.net. *Index Page - The U.S. Constitution Online - USConstitution.net*. Retrieved March 31, 2010, from [http://www.usconstitution.net/consttop\\_arti.html](http://www.usconstitution.net/consttop_arti.html)

Summary: Understanding the Articles of Confederation becomes so much easier with the use of this website topic. Each Article is broken down into simpler terms. The topic also explains what was "wrong" with the Articles such as the need for a 9/13 majority in voting and the problems of taxations that weakened the treasury.

Staloff, Darren. (2005) *Hamilton, Adams, Jefferson: The Politics of Enlightenment and the American Founding*. New York: Hill and Wang.

Summary: Chapter 2 goes into detail about John Adams' role in negotiating with the global powers of the day. It extensively mentions the problems of the Articles of Confederation that made it so difficult for Adams to receive diplomatic recognition, particularly with the Dutch. This chapter also discusses at length problems with credit for the United States and the problems of commerce facing the United States under the Articles of Confederation.

Winik, Jay. (2007) *The Great Upheaval*. New York: Harper Collins Publishers.

Summary: The first chapter is a good synopsis of the troubles faced by Washington in war due to a weak Confederation Congress that could not tax. It describes the states as "jealous" when they laid extraneous duties on imports across state lines. The chapter also details Shays' rebellion which ultimately made the founders aware of the need for a stronger government.