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The Critical Period

Articles of Confederation

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The Articles of Confederation was the United States' first constitution. Proposed by the Continental Congress in 1777, it was not ratified until 1781.

The Articles represented a victory for those who favored state sovereignty. Article 2 stated that "each State retains its sovereignty, freedom and independence, and every power...which is not...expressly delegated to the United States...." Any amendment required unanimous consent of the states.

The Articles of Confederation created a national government composed of a Congress, which had the power to declare war, appoint military officers, sign treaties, make alliances, appoint foreign ambassadors, and manage relations with Indians. All states were represented equally in Congress, and nine of the 13 states had to approve a bill before it became law.

Under the Articles, the states, not Congress, had the power to tax. Congress could raise money only by asking the states for funds, borrowing from foreign governments, or selling western lands. In addition, Congress could not draft soldiers or regulate trade. There was no provision for national courts.

The Articles of Confederation did not include a president. The states feared another George III might threaten their liberties. The new framework of government also barred delegates from serving more than three years in any six year period.

The Articles of Confederation created a very weak central government. It is noteworthy that the Confederation Congress could not muster a quorum to ratify on time the treaty that guaranteed American independence, nor could it pay the expense of sending the ratified treaty back to Europe.

The Articles' framers assumed that republican virtue would lead to states to carry out their duties and obey congressional decisions. But the states refused to make their contributions to the central government. Its acts were "as little heeded as the cries of an oysterman." As a result, Congress had to stop paying interest on the public debt. The Continental army threatened to mutiny over lack of pay.

A series of events during the 1780s convinced a group of national leaders that the Articles of Confederation provided a wholly inadequate framework of government.

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