

The Articles of Confederation

During the colonial period, people in the English colonies along the Eastern seaboard of North America did not call themselves “Americans,” but thought of themselves as Pennsylvanians, New Yorkers, and so on. They had little contact with anyone outside their own counties; roads were poor or non-existent, and sea travel was slow. Newspapers were rare and carried very little besides local news anyway. A trip of 15 to 20 miles was a hard day’s ride, so people in the eastern part of a colony sometimes knew little about what was happening in the western part of the colony.

The colony was ruled by a governor (usually appointed by the king), the Council (an upper house hand-chosen by the governor), and a lower house chosen by the people. The lower houses went by different names in different colonies, but for the most part, the members were wealthy, better-educated, and concerned about keeping taxes down and making sure the governor did not become too powerful. In time, these representatives became very suspicious of the king and Parliament and questioned their colonial policies.

After the French and Indian War ended in 1763, the British government needed money to pay off its national debt. It decided to (1) increase tax revenue and (2) bring the American colonies under stricter control. These ideas clashed with the colonists who began protesting “too much government” and “too many taxes.” Many Americans felt they had had enough of British rule, and in 1775 fighting began in Massachusetts.

The colonies realized they must start working together, so they created the First Continental Congress in 1775 and, a year later, the Second Continental Congress. George Washington was chosen by the Second Congress to lead the Continental army, diplomats were sent to foreign countries, and the Declaration of Independence was approved. Everything happened so quickly that the colonies did not even have time to create a document that gave them the authority to do what they had already done.

The states had been ruled by colonial charters. Those were quickly set aside, and states started throwing out the old governors and Councils. The states wrote new constitutions that usually created two-house legislatures with members of both houses elected.¹ They chose new governors, but took away most of the governors’ powers. Most governors were elected to one-year terms. Real power was in the hands of the legislature.

In 1777, the Articles of Confederation were written by John Dickinson. This document created a “league of friendship.” The Articles united the states, but without any threat to



their power. The Confederation would be run by a one-house Congress. It was to have the power to send diplomats, borrow money, and make treaties. Even then, some Americans feared this was creating a government in a distant place that might threaten their rights. Small states refused to approve it because some of the larger states had large land claims in the West. Until the large states gave up those lands, the small states would not approve. In 1781, Maryland agreed to approve the Articles after Virginia gave up its title to a large region in the West.

While debate over the Articles went on, General Washington had a war to fight and win. In 1781, the British were defeated at Yorktown. Except at some frontier forts, there were no British troops on American soil. In 1783, the British gave America its independence.

The states were officially united in a Confederation. Congress had a president, but he was only the presiding officer of Congress, not the national leader. The main weakness was that the Confederation Congress had no power to tax. It could request money from the states, and it did, but it had no power to demand money from the citizens or the states. Robert Livingston described the Confederation as a riddle, looking like a government to one man, and a creature of the states to another.

In a world of kings, emperors, and governors, the United States was alone in having no national leader. Also, the Confederation had no courts, so it had no way to enforce its policies. In order to make decisions, representatives from nine states had to approve; to change the Articles required approval by all thirteen states. The Confederation had so little power that some states forgot to send delegates; sometimes when delegates were appointed, they never attended a session. There were times when only three to five states were represented, and there was nothing for them to do but adjourn.

With a Confederation Congress lacking the power to solve problems, a large number of issues could not be solved. (1) Soldiers had not been paid, and Congress had no money to pay them. (2) States rarely sent any money to help pay the bills. Congress tried to solve that problem by putting out more money. An expression developed: "Not worth a continental" to describe the almost worthless paper money Congress issued. (3) The United States had borrowed large sums from France to fight the war. The French government desperately needed the money and kept asking for it to be repaid. (4) Spain was interested in taking lands west of the Appalachian mountains. (5) English troops remained in forts along the frontier. (6) Pirates were raiding American ships in the Mediterranean. (7) States were taxing goods being imported from foreign countries and other states. (8) Riots broke out threatening to destroy state governments. The worst rioting was in Massachusetts where Shays' Rebellion closed down courts. The militia put the rebellion down, and Shays escaped. In Rhode Island, debtor farmers took over the legislature and started putting out worthless paper money. New Hampshire's legislature had to be rescued after angry farmers surrounded the capitol building. In the views of many, unless something was done soon, the freedom gained by the Revolution would be lost.

¹ Pennsylvania was an exception. It chose an Executive Council to be the "governor," and a one-house legislature.