3 The Critical Period

Section Preview

Objectives

1. **Describe** the structure of the government set up under the Articles of Confederation.
2. **Explain** why the weaknesses of the Articles led to a critical period for the government in the 1780s.
3. **Describe** how a growing need for a stronger national government led to plans for a Constitutional Convention.

Why It Matters

The Articles of Confederation established a fairly weak central government, which led to conflicts among the States. The turmoil of the Critical Period of the 1780s led to the writing of the Constitution and the creation of a stronger National Government.

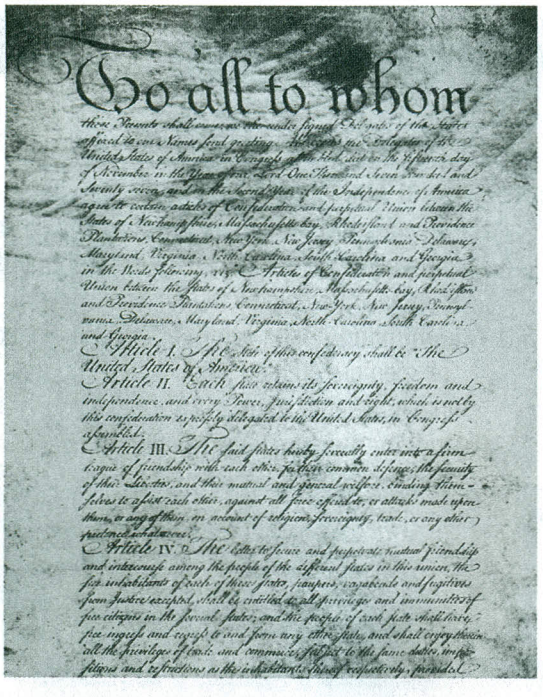
Political Dictionary

- ★ **Articles of Confederation**
- ★ **ratification**
- ★ **presiding officer**

The First and Second Continental Congresses rested on no legal base. They were called in haste to meet an emergency, and they were intended to be temporary. Something more regular and permanent was clearly needed. In this section, you will look at the first attempt to establish a lasting government for the new nation.

The Articles of Confederation

Richard Henry Lee's resolution leading to the Declaration of Independence also called on the Second Continental Congress to propose "a plan of confederation" to the States. Off and on, for 17 months, Congress considered the problem of uniting the former colonies. Finally, on November 15, 1777, the **Articles of Confederation** were approved.


To all to whom

► Articles of Confederation

The Articles of Confederation established "a firm league of friendship" among the States. Each State kept "its sovereignty, freedom, and independence, and every Power, Jurisdiction, and right . . . not . . . expressly delegated to the United States, in Congress assembled." The States came together "for their common defense, the security of their Liberties, and their mutual and general welfare. . . ."

The Articles did not go into effect immediately, however. The **ratification,** or formal approval, of each of the 13 States was needed first. Eleven States agreed to the document within a year. Delaware added its approval in February 1779. But Maryland did not ratify until March 1, 1781, and the Second Continental Congress declared the Articles effective on that date.

Governmental Structure

The government set up by the Articles was simple indeed. A Congress was the sole body created. It was unicameral, made up of delegates chosen yearly by the States in whatever way their legislatures might direct. Each State had one vote in the Congress, whatever its population or wealth.

The Articles established no executive or judicial branch. These functions were to be handled by committees of the Congress. Each year the

Congress would choose one of its members as its president. That person would be its **presiding officer** (chair), but not the president of the United States. Civil officers such as postmasters were to be appointed by the Congress.

Powers of Congress

Several important powers were given to the Congress. It could make war and peace; send and receive ambassadors; make treaties; borrow money; set up a money system; establish post offices; build a navy; raise an army by asking the States for troops; fix uniform standards of weights and measures; and settle disputes among the States.

State Obligations

By agreeing to the Articles, the States pledged to obey the Articles and acts of the Congress. They promised to provide the funds and troops requested by Congress, treat citizens of other States fairly and equally within their own borders, and give full faith and credit to the public acts, records, and judicial proceedings of every other State. In addition, the States agreed to surrender fugitives from justice to one another; submit their disputes to Congress for settlement; and allow open travel and trade between and among the States.

Beyond these few obligations, the States retained those powers not explicitly given to the Congress. They, not the Congress, were primarily responsible for protecting life and property, and for promoting "the safety and happiness of the people."

Weaknesses

The powers of the Congress appear, at first glance, to have been considerable. Several important powers were missing, however. Their omission, together with other weaknesses, soon proved the Articles inadequate to the needs of the time.

The Congress did not have the power to tax. It could raise money only by borrowing and by asking the States for funds. Borrowing was, at best, a poor source. The Second Continental Congress had borrowed heavily to support the Revolution, and many of those debts had not been paid. And, while the Articles remained in force, not one State came close to meeting the financial requests made by the Congress.

Weaknesses of the Articles of Confederation

- One vote for each State, regardless of size.
- Congress powerless to lay and collect taxes or duties.
- Congress powerless to regulate foreign and interstate commerce.
- No executive to enforce acts of Congress.
- No national court system.
- Amendment only with consent of all States.
- A 9/13 majority required to pass laws.
- Articles only a "firm league of friendship."

Interpreting Tables The thirst for independence made the new States wary of strong central government. ***How is this caution reflected in the weaknesses built into the Articles of Confederation?***

Nor did the Congress have the power to regulate trade between the States. This lack of a central mechanism to regulate the young nation's commerce was one of the major factors that led to the adoption of the Constitution.

The Congress was further limited by a lack of power to make the States obey the Articles of Confederation or the laws it made. Congress could exercise the powers it did have only with the consent of 9 of the 13 State delegations. Finally, the Articles themselves could be changed only with the consent of all 13 of the State legislatures. This procedure proved an impossible task; not one amendment was ever added to the Articles of Confederation.

The Critical Period, the 1780s

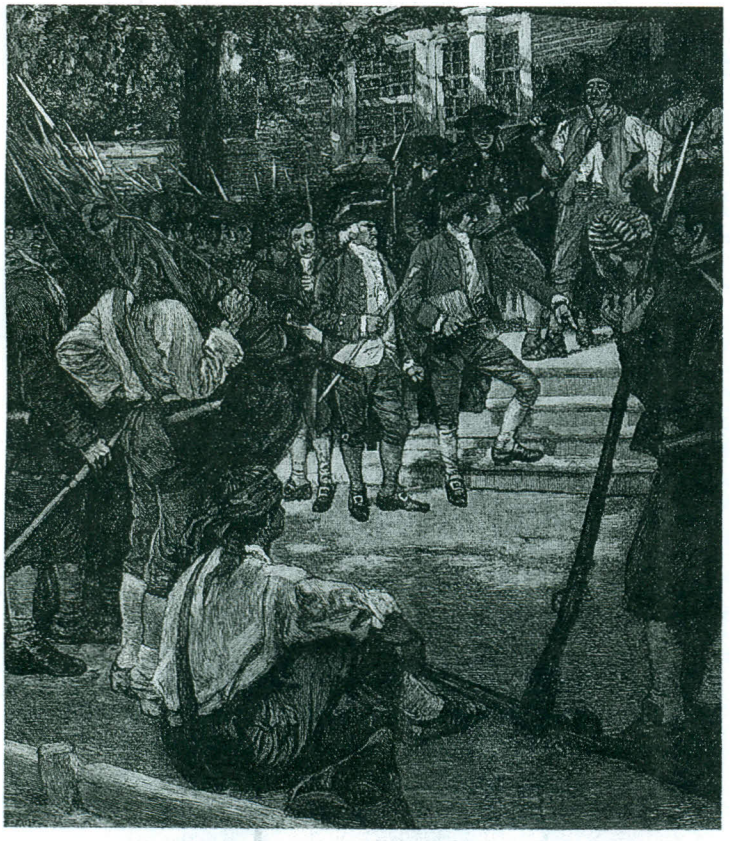
The long Revolutionary War finally ended on October 19, 1781. America's victory was confirmed by the signing of the Treaty of Paris in 1783. Peace, however, brought the new nation's economic and political problems into sharp focus. Problems, caused by the weaknesses of the Articles of Confederation, soon surfaced.

With a central government unable to act, the States bickered among themselves and grew increasingly jealous and suspicious of one another. They often refused to support the new central government, financially and in almost every other way. Several of them made agreements with foreign governments without the approval of the

Congress, even though that was forbidden by the Articles. Most even organized their own military forces. George Washington complained, "We are one nation today and 13 tomorrow. Who will treat with us on such terms?"

The States taxed one another's goods and even banned some trade. They printed their own money, often with little backing. Economic chaos spread throughout the colonies as prices soared and sound credit vanished. Debts, public and private, went unpaid. Violence broke out in a number of places as a result of the economic chaos.

The most spectacular of these events played out in western Massachusetts in a series of incidents that came to be known as Shays' Rebellion. As economic conditions worsened, property holders, many of them small farmers, began to lose their land and possessions for lack of payment on taxes and other debts. In the fall of 1786, Daniel Shays, who had served as an officer in the War for Independence, led an armed uprising that forced several State judges to close their courts. Early the next year, Shays mounted an unsuccessful attack on the federal arsenal at Springfield. State forces finally moved to quiet the rebellion and Shays fled to Vermont. In response to the violence, the Massachusetts legislature eventually passed laws to ease the burden of debtors.



▲ ***Shays' Rebellion*** Following the series of incidents known as Shays' Rebellion, the Supreme Judicial Court of Massachusetts condemned Daniel Shays and about a dozen others to death. Shays petitioned for and received a pardon in 1788.

A Need for Stronger Government

The Articles had created a government unable to deal with the nation's troubles. Inevitably, demand grew for a stronger, more effective national government. Those who were most threatened by economic and political instability —large property owners, merchants, traders, and other creditors—soon took the lead in efforts to that end. The movement for change began to take concrete form in 1785.

Mount Vernon

Maryland and Virginia, plagued by bitter trade disputes, took the first step in the movement for change. Ignoring the Congress, the two States agreed to a conference on their trade problems. Representatives from the two States met at Alexandria, Virginia, in March 1785. At George Washington's invitation, they moved their sessions to his home at nearby Mount Vernon.

Their negotiations proved so successful that on January 21, 1786, the Virginia General Assembly called for "a joint meeting of [all of] the States to recommend a federal plan for regulating commerce."

Annapolis

That joint meeting opened at Annapolis, Maryland, on September 11, 1786. Turnout was poor, with representatives from only five of the 13 States attending.[11] Disappointed, but still hopeful, the convention called for yet another meeting of the States

PRIMARY Sources *"at Philadelphia on the second Monday in May next, to take into consideration the situation of the United States, to devise such further provisions as*

[11]New York, New Jersey, Pennsylvania, Delaware, and Virginia. Although New Hampshire, Massachusetts, Rhode Island, and North Carolina had appointed delegates, none attended the Annapolis meeting.

▲ ***Mount Vernon*** George Washington's graceful home overlooking the Potomac River served as the location for trade talks between Maryland and Virginia. The success of that meeting caused some to move for further steps toward a stronger federal government.

shall appear to them necessary to render the constitution of the Federal Government adequate to the exigencies of the Union. "

—Call of the Annapolis Convention

By mid-February of 1787, seven of the States had named delegates to the Philadelphia meeting. These were Delaware, Georgia, New Hampshire, New Jersey, North Carolina, Pennsylvania, and Virginia. Then on February 21, the Congress, which had been hesitating, also called upon the States to send delegates to Philadelphia

PRIMARY Sources "*for the sole and express purpose of revising the Articles of Confederation and reporting to Congress and the several legislatures such alterations and provisions therein as shall when agreed to in Congress and confirmed by the States render the [Articles] adequate to the exigencies of Government and the preservation of the Union.* "

—The United States in Congress Assembled, February 21, 1787

That Philadelphia meeting became t Constitutional Convention.

Section 3 Assessment

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Key Terms and Main Ideas

1. What were the **Articles of Confederation** and what powers did they grant to Congress?
2. Before the Articles of Confederation could go into effect, how many States were needed for **ratification?**
3. Identify at least three weaknesses of the government under the Articles of Confederation.
4. What was the result of the meetings at Mount Vernon and Annapolis in 1785 and 1786?

Critical Thinking

5. **Identifying Central Issues** The Articles of Confederation contained several weaknesses. Why would the States purposefully create a weak government under the Articles?
6. **Drawing Conclusions** For what reasons is the during which the Articles were in force called th Period in American history?

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