

# Finding Answers with Founding Documents...

## **The Articles of Confederation**

Written, Adopted, and Ratified by the Continental Congress

**Social Studies: 10th Grade United States History/ 12 Grade Government**

### **Essential Questions:**

- What weaknesses made the Articles of Confederation too inefficient to remain the supreme law of the land?
- How different would the course of American events have been if the Articles of Confederation were not replaced by the U.S. Constitution?

### **Standards:**

1. ACOS 10th Grade U.S. History I, Standard #4
  - Describe the political system of the United States based on the Constitution of the United States.
    - Describing the inadequacies of the Articles of Confederation
2. ACOS 12th Grade United States Government, Standard #2
  - Summarize the significance of the First and Second Continental Congresses, the Declaration of Independence, Shays' Rebellion, and the Articles of Confederation of 1781 on the writing and ratification of the Constitution of the United States of 1787 and the Bill of Rights of 1791.
3. ACOS Appendix C, Literacy Standards #1, #2, #4, and #5
  - “Cite specific textual evidence to support analysis of primary and secondary sources, attending to such features as the date and origin of the information.”
  - “Determine the central ideas or information of a primary or secondary source; provide an accurate summary of how key events or ideas develop over the course of the text.”

- “Determine the meaning of words and phrases as they are used in a text, including vocabulary describing political, social, or economic aspects of history/social studies.”
- “Analyze how a text uses structure to emphasize key points or advance an explanation or analysis.”

### **Objectives:**

1. Identify the inadequacies of the Articles of Confederation.
2. Differentiate between a confederation of states versus a federation of states.
3. Distinguish between the political and legal principles established by the Articles of Confederation versus those established by the United States Constitution.

### **Materials:**

1. Bell Ringer Activity: Printed or projected copy of “The Articles of Confederation” annotated document page
2. Before Activity: Printed copies of the “Breaking Down the Document” activity sheet.
3. During Activity: Printed copies of the “Articles or Constitution?” activity sheet.
4. After Activity: Printed copies of “What If...The Articles Were Never Replaced?” activity sheet.

### **Procedures:**

1. Bell Ringer strategy: Bell Ringer Question based on the “Articles of Confederation” excerpt
  - a. Students will analyze the selection and annotations from the “Articles of Confederation” document and answer the question at the top: “What weaknesses made the Articles of Confederation too inefficient to remain the supreme law of the land?”

2. Before strategy: “Breaking Down the Document”

- a. In order to comprehend the meaning and limitations of the Articles of Confederation, students should dig through the wording and use the annotation aides to help them answer the questions printed in this activity.
- b. The students may or may not answer these free-response questions in complete sentences (teacher preference), but they should explain their answers and opinions when asked.
- c. The responses may vary, but suggested or possible answers have been provided for the teacher.
- d. The students may record their answers on the spaces provided within the activity sheet or they may write on their own paper (teacher preference).

3. During strategy: “Articles or Constitution?”

- a. This activity sheet contains 25 different political and/or legal principles. Some apply to the Articles of Confederation while others specifically apply to the United States Constitution.
- b. For this activity, it’s recommended that students work with a partner, but this can easily be an individual activity if preferred by the teacher.
- c. Instruct students to read each term/description and decide if it applies to the Articles of Confederation or the U.S. Constitution. If the term/description applies to the Articles, direct them to simply write an “A” in the blank after the description. If it applies to the Constitution, the students should write a “C” in the blank.
- d. If the students have not yet had a lesson on the U.S. Constitution, this activity provides a great preview of important forthcoming material. Simply encourage them to use the information they do know in order to predict how the Constitution changed the government of the United States.

After lessons on the U.S. Constitution have been taught, consider returning to this activity and instructing the students to complete it a second time in order assess improvement in their understanding. As another alternative, share the answers once the students are finished and use the opportunity to provide essential direct instruction on important constitutional principles.

4. After strategy: “What If...The Articles Were Never Replaced?”

- a. Instruct students to reflect on the Before and During Activities they completed. Also, ask them to consider how different our government and national experience might have been in an alternate reality wherein the Articles had never been replaced by the Constitution.
- b. For this activity, consider organizing the class into groups of 2-4 students in order to help all students bounce logical ideas and deductions off of one another. Again, this activity may also be individual work if the teacher prefers.
- c. The box in the center of the page contains 12 major events or developments that changed the course of American history and relied on a great deal of federal power that did not exist under the Articles. Say to the students, “Assuming the Constitution was never drafted and the United States of America was forced to encounter the challenges and crises of the 19th and 20th centuries (listed in the box) under the Articles of Confederation, HOW and WHY might the following events have ended differently?”
- d. Students should be instructed to choose any FIVE events from the box, apply their knowledge of the limitations created by the Articles, and briefly record...
  - a.) HOW the event might have transpired differently

- b) WHY it would have likely transpired differently.
- e. Clearly, answers will vary greatly as students are encouraged to think outside the box, but the parameters and conditions of the Articles should be observed in their reasoning and their responses.
- f. Student responses should contain between 1-2 sentences of content but do not necessarily have to be written in complete sentences (teacher preference) as long as the reasoning is sound and clearly stated.
- g. A “What If” scenario like this can be a powerful learning experience as long as students apply what they’ve learned and their reasoning remains both grounded and relevant to the key concepts. The goal is not the production of a perfect answer, but the application of learned concepts within this alternative reality in which this founding document actually remained the cornerstone document of our nation’s union. Ultimately, the key takeaway is how essential the U.S. Constitution was in navigating this nation through some of its greatest challenges and achievements.
- h. If time permits, allow each group to share their answers.

# Background Information

## The Articles of Confederation

"The name of this Confederation shall be the United States of America. "

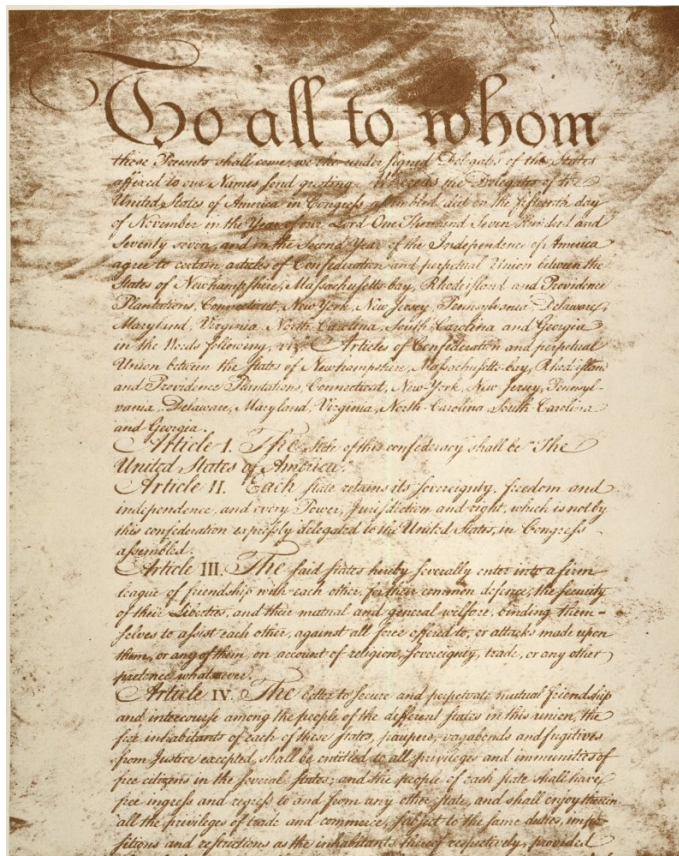
—John Dickinson

"My wish is, that the convention may adopt no temporizing expedient, but probe the defects of the constitution (i.e., the Articles of Confederation) to the bottom, and provide radical cures."

— George Washington

During the early summer of 1776, as the Continental Congress dedicated much of its time to the drafting of a declaration designed to officially sever its ties with Great Britain and proclaim political independence, it was agreed that a

committee be appointed "to prepare and digest the form of confederation to be entered into between these Colonies." The committee offered a draft on July 12, 1776, just eight days after the signing of the Declaration of Independence. After about 16 months of discussion and revision, the Articles of Confederation were finalized on November 15, 1777, and sent to all the state legislatures, of the newly created United States of America, for adoption. Then, on July 9, 1778, the first eight states officially ratified the Articles. Over the next few years, the remaining states ratified one-by-one until the ratification process officially concluded on March 1, 1781 when



Maryland became the last state to ratify. Thus, the Continental Congress officially became the Congress of the Confederation (Confederation Congress) on March 2, 1781.

Given the causes of the American Revolution, the Patriots of the newly created United States were unwilling to recreate a strong central government considering they were fighting and sacrificing to overthrow such under British tyranny. The people and their delegates were willing to work together as an alliance of states but wanted local authorities to govern with great autonomy and free from centralized political pressures. Therefore, it was agreed upon that a “confederation” be established among the United States of America. Under a confederate political model, the nation exists as a league of states united in an alliance to promote mutual interests while maintaining a significant degree of sovereignty at the state level. A confederation, thus, protects state interests by granting only limited powers to the national government. By the end of the decade, the United States Constitution would be drafted and ratified to replace the confederation with a federation. The short-lived Articles of Confederation was too inefficient to govern and growing, thriving, and modernizing nation with big aspirations. Ultimately, the United States embraced federalism to grant additional authority (that initial “additional” authority has continued to expand significantly over the history of the U.S.) and supreme power to the central government while reserving and balancing other powers among the states.

The few articles provided in the lesson document demonstrate the limitations of the Articles of Confederation. State supremacy and preferences were protected. The Confederation Congress was granted the authority to pass two very important territorial ordinances to organize the settlement of the public domain east of the Mississippi River. They included the Land Ordinance of 1785 and the Northwest Ordinance of 1787. When it came to resolving interstate disputes over



issues such as trade, tariffs, and law, the Articles of Confederation did not grant the Confederation Congress with enough authority to resolve many of those disputes. Furthermore, there was not yet a President of the United States to serve as the head of state and chief executive to direct national policy. Although eight men served one-year terms as “President of the United States in Congress Assembled” (John Hanson being the first, 1781), the position held very little power and was nowhere close to the executive privileges created for the Executive Branch under the U.S. Constitution.



Essentially, in order to preserve state powers, the Articles of Confederation failed because the Confederation Congress was not granted the power to levy or collect taxes, regulate trade, or enforce the laws or provisions of the Articles. The central government had no executive branch to engender a national policy and move the government to act. In addition, there was no national court system to resolve the legal disputes between states.



The Articles of Confederation is a founding document that served this nation well during its infancy and promoted enough cooperation among the states to achieve victory in the War for Independence. But as this nation grew and dreamed of ascending to a greater status as that "City on a Hill," the U.S. Constitution was needed to replace cooperation with compliance and surpass alliance with nationhood.



The first national governing document responsible for leading the U.S. through the American Revolution.

**Bell Ringer:**  
*What weaknesses made the Articles of Confederation too inefficient to remain the supreme law of the land?*



The ratification was finalized in 1781 when Maryland became the last state to ratify.

Selections from...  
**The Articles of Confederation (1777-1789)**  
*Written, Adopted, and Ratified by the Continental Congress*

*The Continental Congress led the United States during the War for Independence against Great Britain.*

ARTICLE I. The *Stile* of this confederacy shall be "*The United States of America.*"

Decentralized...  
Sovereign States  
Supreme > National Government Weak

"title"

"league or alliance" and opposite from the central power of a "federation"

supreme power of authority

ARTICLE II. Each State retains its Sovereignty, freedom and independence, and every Power, Jurisdiction and right, which is not by this confederation *expressly delegated* to the United States in Congress assembled.

"granted"

The Articles delegated very few powers to the Congress.

ARTICLE III. The said states hereby severally enter into a firm league of friendship with each other, for their **common defense**, the security of their Liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever....

Although centralized government is leadership from "afar"...it's needed to bind or tie far off states together for a stronger whole.

Without a strong central govt., the states were more like an alliance of assistance that always put local state interests ahead of national needs.

ARTICLE V. For the more convenient management of the general interest of the united states, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year...In determining questions in the united states, in Congress assembled, **each state shall have one vote.**



Later, the U.S. Constitution created the House of Rep. to allow for additional voting power based on state populations.

The Articles continued to be the official governing law of the U.S. until replaced by the Constitution in March of 1789.

Notice the power given to state legislatures in controlling who serves at the national level.



### Bell Ringer Model Answer:

The sovereignty of each state prioritized local power, authority, and interests over national or central power, authority, and interests. The language provides only a limited list of powers held by the United States in Congress assembled and reserves most powers for the states. While this is beneficial on some levels, the nation as a whole is ill-equipped to promote national growth, expansion, and unity. The states might be fairly strong, but the nation is weak. Furthermore, the states are joined by a mutual friendship or alliance for assistance. National needs and threats are difficult to address under this arrangement and the ties that bind remain very loose.



## Before Activity: Breaking Down the Document

**Directions:** Use the selected articles and annotations from the document handout to help you answer the following questions.

- 1) ARTICLE I: If a confederacy is more of an alliance, what “united” the states enough for the Congress to adopt the name “United States of America?”
- 2) ARTICLE II: Given the establishment of state sovereignty and the limited powers delegated to the United States in Congress, PREDICT at least THREE PROBLEMS that might arise from this arrangement.
- 3) ARTICLE III: Why did the states establish this “league of friendship?”
- 4) ARTICLE V: Two criticisms of this article are related to 1) the excessive authority granted to state legislatures over private citizens and 2) the unequal representation of those same private citizens. Explain.
- 5) Brainstorm and identify THREE POSITIVE results that might transpire from DECENTRALIZED government and THREE POSITIVE results that might transpire from CENTRALIZED government.

### Decentralized

- 1)
- 2)
- 3)

### Centralized

- 1)
- 2)
- 3)

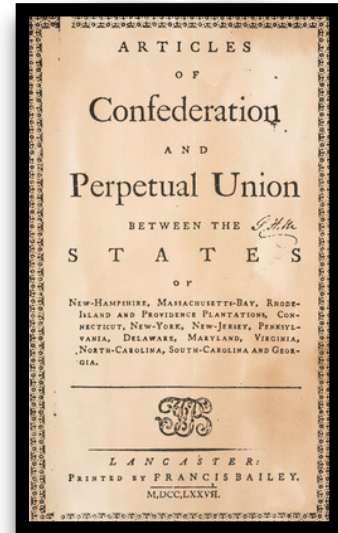
- a) Which system do you think was better for the original 13 states? Why?
- b) Which system do you think is better for our current 50 states? Why?

# During Activity: Articles or Constitution?

**Directions:** Read each term/description below and decide if it applies to the Articles of Confederation or the U.S. Constitution. If it applies to the Articles, write an “A” in the blank after the description. If it applies to the Constitution, write a “C” in the blank.

## Articles of Confederation (“A”) OR United States Constitution (“C”)

- 1) Multiple parties come together in order to create an alliance or league \_\_\_\_\_
- 2) Typically based on friendship and assistance \_\_\_\_\_
- 3) Bound together as one by a supreme rule of law \_\_\_\_\_
- 4) Centralized government \_\_\_\_\_
- 5) Decentralized government \_\_\_\_\_
- 6) Federal law supreme over state law \_\_\_\_\_
- 7) Federation \_\_\_\_\_
- 8) State sovereignty \_\_\_\_\_
- 9) Confederation Congress \_\_\_\_\_
- 10) United States Congress \_\_\_\_\_
- 11) President of the United States \_\_\_\_\_
- 12) Supreme Court of the United States \_\_\_\_\_
- 13) First national government following America’s Declaration of Independence \_\_\_\_\_
- 14) One vote per state \_\_\_\_\_
- 15) March 1789 \_\_\_\_\_
- 16) No executive branch \_\_\_\_\_
- 17) Congressional delegates appointed annually \_\_\_\_\_
- 18) Legislators of the House and Senate elected \_\_\_\_\_
- 19) Three branches of government \_\_\_\_\_
- 20) Checks and balances \_\_\_\_\_
- 21) War for Independence \_\_\_\_\_
- 22) Unsettled disputes between states \_\_\_\_\_
- 23) Congress lacks the power to levy taxes \_\_\_\_\_
- 24) State militias instead of national military force \_\_\_\_\_
- 25) No regulation of interstate commerce \_\_\_\_\_



## After Activity:

### What If...The Articles Were Never Replaced?

**Directions:** Based on what you've learned about the Articles of Confederation, consider an alternate reality or turn of events in which they were NEVER replaced by the U.S. Constitution. Assuming the Constitution was never drafted and the United States of America was forced to encounter the challenges and crises of the 19th and 20th centuries under the Articles of Confederation, HOW and WHY might the following events have ended differently? Choose any FIVE events from the box below, apply your knowledge of the limitations created by the Articles, and briefly record a) HOW the event might have transpired differently? AND b) WHY it would have likely transpired differently?

Choose any FIVE

|   |                             |
|---|-----------------------------|
| *construction of railroads                  | *construction of highways   |
| *annexation of Texas                        | *Great Depression           |
| *Mexican Cession (California and Southwest) | *World War II               |
| *Civil War                                  | *Cold War                   |
| *slavery                                    | *Space Program              |
| *industrialization and urbanization         | *Digital Age—World Wide Web |

- 1) Event: \_\_\_\_\_  
a) How might it be different? \_\_\_\_\_  
b) Why would it be different ? \_\_\_\_\_
- 2) Event: \_\_\_\_\_  
a) How might it be different? \_\_\_\_\_  
b) Why would it be different ? \_\_\_\_\_
- 3) Event: \_\_\_\_\_  
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## Before Activity: Breaking Down the Document

**Directions:** Use the selected articles and annotations from the document handout to help you answer the following questions.

- 1) ARTICLE I: If a confederacy is more of an alliance, what “united” the states enough for the Congress to adopt the name “United States of America?”

Possible responses: War for Independence with common enemy—Great Britain; shared ideals...liberty, equality, political representation, etc.

- 2) ARTICLE II: Given the establishment of state sovereignty and the limited powers delegated to the United States in Congress, PREDICT at least THREE PROBLEMS that might arise from this arrangement.

Possible responses: 1) no way to resolve disputes between states, 2) no clear way to regulate things like rivers, forests, roads, etc. that states hold in common, and 3) internal and external crises might affect states differently and lead to different or unequal responses (i.e., heavier burdens might fall on some states more than others)

- 3) ARTICLE III: Why did the states establish this “league of friendship?”

Possible responses: 1) common defense—protect one another, 2) keep shared liberties secure, 3) safeguard common welfare from attacks made against a single state or the whole for any reason

- 4) ARTICLE V: Two criticisms of this article are related to 1) the excessive authority granted to state legislatures over private citizens and 2) the unequal representation of those same private citizens. Explain.

Possible responses: 1) state legislatures and not individual voters are selecting the delegates for the Congress which cuts the eligible voters out of the direct election of their national representatives, 2) given the fact that each state has only one vote in the united Congress, citizens residing in states with higher populations are unevenly represented in comparison to citizens residing in smaller states

- 5) Brainstorm and identify THREE POSITIVE results that might transpire from DECENTRALIZED government and THREE POSITIVE results that might transpire from CENTRALIZED government.

### Decentralized

- 1) local needs addressed/louder voice
- 2) local interests/issues reign supreme
- 3) local cultural/social norms preserved

### Centralized

- 1) greater uniformity/stability nationwide
- 2) internal disputes more likely resolved
- 3) nation more powerful w/more revenue

- a) Which system do you think was better for the original 13 states? Why?

Answers will vary: smaller nation might be better aligned for decentralized model

- b) Which system do you think is better for our current 50 states? Why?

Answers will vary: widespread needs and diversity of large nation better suited for centralized model

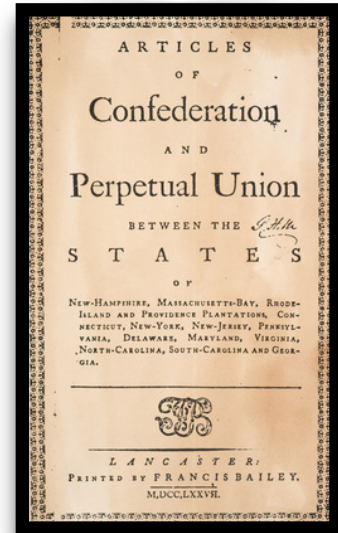


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- 4) Centralized government C
- 5) Decentralized government A
- 6) Federal law supreme over state law C
- 7) Federation C
- 8) State sovereignty A
- 9) Confederation Congress A
- 10) United States Congress C
- 11) President of the United States C
- 12) Supreme Court of the United States C
- 13) First national government following America’s Declaration of Independence A
- 14) One vote per state A
- 15) March 1789 C
- 16) No executive branch A
- 17) Congressional delegates appointed annually A
- 18) Legislators of the House and Senate elected C
- 19) Three branches of government C
- 20) Checks and balances C
- 21) War for Independence A
- 22) Unsettled disputes between states A
- 23) Congress lacks the power to levy taxes A
- 24) State militias instead of national military force A
- 25) No regulation of interstate commerce A



# After Activity:

## What If...The Articles Were Never Replaced?

**Directions:** Based on what you've learned about the Articles of Confederation, consider an alternate reality or turn of events in which they were NEVER replaced by the U.S. Constitution. Assuming the Constitution was never drafted and the United States of America was forced to encounter the challenges and crises of the 19th and 20th centuries under the Articles of Confederation, HOW and WHY might the following events have ended differently? Choose any FIVE events from the box below, apply your knowledge of the limitations created by the Articles, and briefly record a) HOW the event might have transpired differently? AND b) WHY it would have likely transpired differently?

Choose any FIVE

|   |                             |
|---|-----------------------------|
| *construction of railroads                  | *construction of highways   |
| *annexation of Texas                        | *Great Depression           |
| *Mexican Cession (California and Southwest) | *World War II               |
| *Civil War                                  | *Cold War                   |
| *slavery                                    | *Space Program              |
| *industrialization and urbanization         | *Digital Age—World Wide Web |

- 1) Event: construction of railroads
  - a) How might it be different? Likely state funded with serious conflicts between states
  - b) Why would it be different ? Interstate commerce could not be regulated
- 2) Event: Mexican Cession
  - a) How might it be different? California and Southwest may not have been added
  - b) Why would it be different ? Treaties required 2/3's of states to support
- 3) Event: Great Depression
  - a) How might it be different? Total economic collapse without any solution
  - b) Why would it be different ? Inability to tax/raise large revenues = NO New Deal
- 4) Event: World War II
  - a) How might it be different? More limited American involvement, if any at all
  - b) Why would it be different ? Bonds, militarization to wartime industry, raising national armed forces, etc...required colossal federal power
- 5) Event: Cold War
  - a) How might it be different? Soviets would likely have won
  - b) Why would it be different ? Again, federal defense spending would have been significantly limited