

Challenges of the Articles of Confederation

Duration

Two or three class sessions of approximately 40 minutes each

Resources

1. Teacher's Commentary



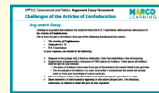
2. Student Handout



3. Study Guide: Thesis



4. Homework



Objectives of Lesson

- To explain the relationship between key provisions of the Articles of Confederation and the debate over granting the federal government powers formerly reserved to the states
- To read a historical source with speaker, audience, and context in mind
- To practice developing a defensible claim or thesis that establishes a line of reasoning

College Board Objectives from the 2019–20 CED

- **Topic 1.4**—Challenges of the Articles of Confederation (p. 43)
- **Unit 1: Learning Objective CON 1.B:** “Explain the relationship between key provisions of the Articles of Confederation and the debate over granting the federal government greater power formerly reserved to the states.” (p. 43)

Student Activities

- Close reading of a historical source (either in class or for homework)
- Class discussion of the roots, principles, and specific legal challenges that highlighted the weaknesses of the Articles of Confederation
- Practice developing a defensible claim or thesis that establishes a line of reasoning in preparation for the Argument Essay

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How to Use This Lesson

This lesson is rooted in a close reading of the Articles of Confederation in order to show the debate over key provisions of the text and the ways that those weaknesses were highlighted in later legal challenges. While the Articles of Confederation forms the central component of this lesson, students are encouraged to make connections between this document and previous ideas about government and later developments like the Constitution of the United States. The goal throughout is to encourage students to practice AP® U.S. Government and Politics Reasoning Process 3: Causation by looking at cause and effect and AP® U.S. Government and Politics Reasoning Process 4: Comparison by thinking about similarities and differences among political principles.

This lesson is designed to help students learn historical content through a directed lesson that progresses through different perspectives in order to show how the weaknesses of the Articles of Confederation led to specific challenges. The first source, a lengthy passage from the Articles of Confederation, outlines how the new government attempted to balance the interests of the federal government and the state governments. You may want to spend the majority of your time working through this document as a class given its importance to future political developments in the United States. The Articles of Confederation can be read alongside the second source, a proclamation by Ronald Reagan in 1987 commemorating Shays' Rebellion. This document is intended to give students the opportunity to practice using secondary sources to form a historical argument. It is slightly longer than would typically be found on the multiple-choice section of the exam in order to allow for deeper analysis. By reading the two sources side-by-side, students can better practice identifying both causation and comparison.

We have provided a teacher commentary with historical background, teaching notes, and questions designed to facilitate discussion for each document. You may find it helpful to work through one document together and assign the remaining work as homework.

In addition to covering the content in required in Topic 1.4, this lesson is also designed to introduce students to some of the foundational skills that they will need to master the Argument Essay. We have included a study guide specifically focused on methods students can use to establish a defensible claim or thesis that establishes a line of reasoning. Encourage students to keep this study guide as a reference as they prepare for the exam.

You can conclude by assigning the included Argument Essay to help students practice analyzing documents. Encourage students to use what they gained from class discussion to help them develop a strong argument on the essay.

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Historical Context

The Articles of Confederation was the first attempt by the newly independent American colonies to form a cohesive union governed by a written constitution. It established that the states were united in a “league of friendship” and that they mutually agreed to cede some sovereignty to a central government. While it represented an important step in establishing the political structure of the United States, it was plagued by many problems because the federal government that it established was too limited to effectively govern the new nation. The limitations of the Articles of Confederation were resolved when it was put aside in favor of the U.S. Constitution.

One of the major flaws of the Articles of Confederation was that it established a very weak executive. The president of the United States in Congress Assembled (the official title of the executive of the document) could not act independently in any way. They were a ceremonial figurehead that primarily served as the chief administrator of Congress. They also served a relatively short one-year term. When the flaws of the Articles of Confederation became apparent, Alexander Hamilton argued in Federalist No. 70 that the U.S. government should adopt a completely different model than what was included in the Articles by having a unitary executive who could act independently.

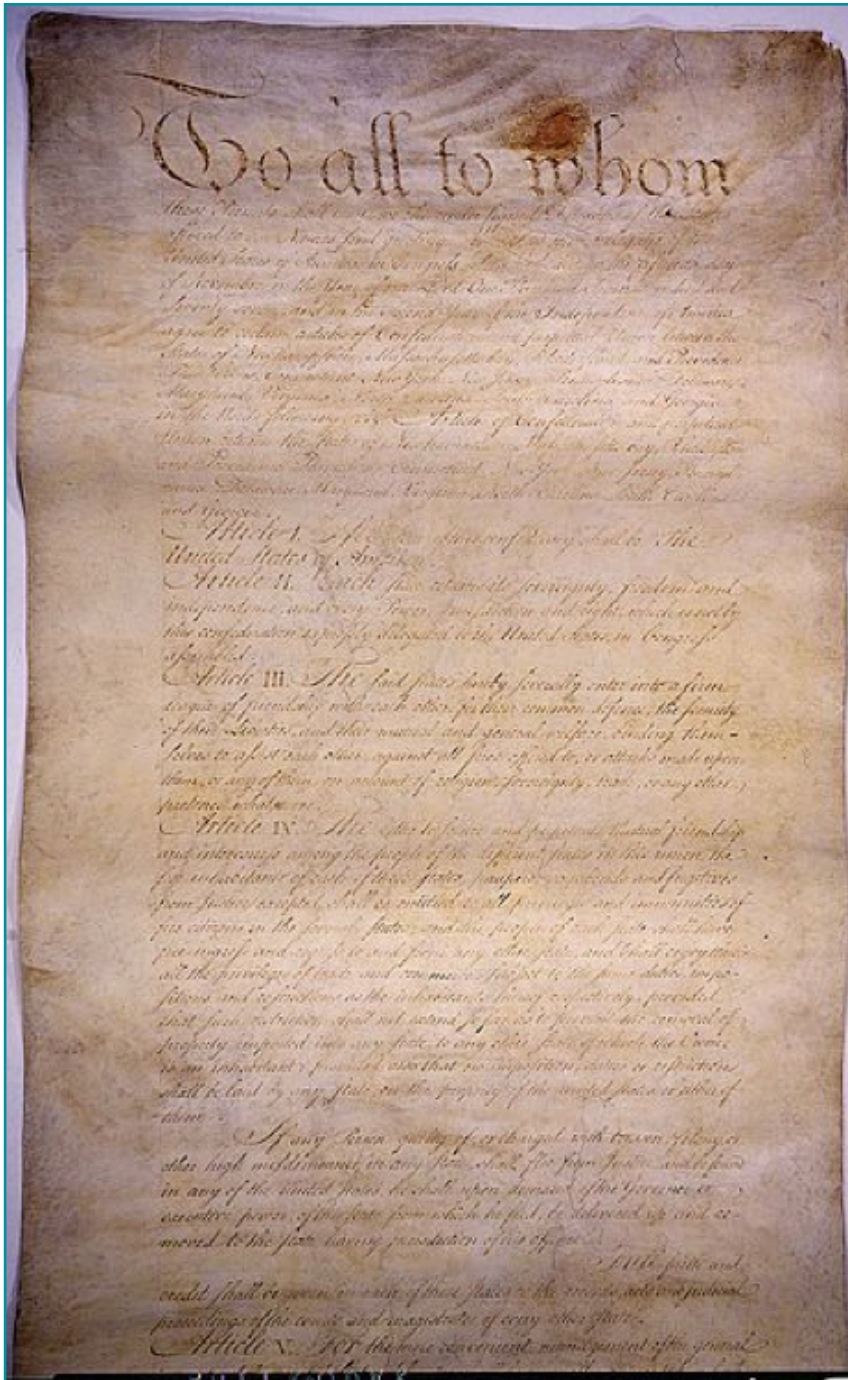
The weakness of the executive branch had far reaching implications. The fact that Congress was responsible for all major decisions, not a unitary executive, hindered the new nation’s ability to develop effective foreign policy. Under the Articles of Confederation, Congress needed to have a quorum to approve any treaties. This rarely occurred, so treaties, foreign policy decisions, and proposals for political alliances often languished in Congress for months.

Under the Articles of Confederation, Congress also lacked any way to compel the states to take action. With hardly any enforcement mechanisms at its disposal, the federal government could not compel states to provide troops for military actions or collect taxes. Without either the “power of the purse” or control of the military, the federal government could not take meaningful action on a national scale. This lack of power became apparent after Shays’ Rebellion, when the central government struggled to marshal enough troops to calm the disturbance.

By 1787, it was clear that the Articles of Confederation needed to be significantly revised. The states called a convention, later called the Constitutional Convention, which initially intended to rewrite the document. It soon became apparent that more significant changes were needed than just a few edits. The Constitutional Convention set themselves to developing the Constitution of the United States, which would replace the Articles of Confederation.

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The Articles of Confederation and Perpetual Union, 1777

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Document 1**The Articles of Confederation and Perpetual Union, 1777**

To all to whom these Presents shall come, we the undersigned Delegates of the States affixed to our Names send greeting. Whereas the Delegates of the United States of America in Congress assembled did on the fifteenth day of November in the Year of our Lord One Thousand Seven Hundred and Seventy Seven, and in the Second Year of the Independence of America agree to certain articles of Confederation and perpetual Union between the States of New Hampshire, Massachusetts bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia in the Words following, viz. “Articles of Confederation and perpetual Union between the States of New Hampshire, Massachusetts bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

Article I. The Stile of this Confederacy shall be “The United States of America.”

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.

Article III. The said States hereby severally enter into a firm league of friendship with each other, for their common defence, 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.

Article IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions, and restrictions as the inhabitants thereof respectively, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any State, to any other State, of which the owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any State, on the property of the United States, or either of them.

If any person guilty of, or charged with, treason, felony, or other high misdemeanor in any State, shall flee from justice, and be found in any of the United States, he shall, upon demand of the Governor or executive power of the State from which he fled, be delivered up and removed to the State having jurisdiction of his offense.

Commentary

① You may want to point out the dating of this document to your students. The Articles of Confederation was issued in 1777, a full year after the United States of America had issued the Declaration of Independence and formally split from Great Britain. For the first stages of the Revolution, the United States existed without a functioning federal government. That meant that state constitutions and state assemblies had extraordinary power. Thinking about this historical background may help students understand why the Articles of Confederation gave so much power to the states.

2 Questions for Discussion

1. What is the relationship between the states and the federal government according to the Articles of Confederation?
2. How does this relationship reflect the history of the states as individual colonies?
3. In your opinion, would this system establish a successful government? Why or why not?

③ The phrase “a firm league of friendship” is often highlighted as the most famous description of the government created under the Articles of Confederation. Encourage students to examine what it means by asking the following questions:

1. Can you put this in your words?

1. Are there limits to a league of friendship?

1. What is the significance of describing a government as a “league of friendship”?

4 Questions for Discussion

1. What is the benefit of free movement of people across the nation?
2. Does this stipulation apply to slaves?

Full faith and credit shall be given in each of these States to the records, acts, and judicial proceedings of the courts and magistrates of every other State.

Article V. For the most convenient management of the general interests of the United States, delegates shall be annually appointed in such manner ⑤ as the legislatures of each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each State to recall its delegates, or any of them, at any time within the year, and to send others in their stead for the remainder of the year.

No State shall be represented in Congress by less than two, nor more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit, receives any salary, fees or emolument of any kind. ⑥

Each State shall maintain its own delegates in a meeting of the States, and while they act as members of the committee of the States.

In determining questions in the United States in Congress assembled, ⑦ each State shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress, and the members of Congress shall be protected in their persons from arrests or imprisonments, during the time of their going to and from, and attendance on Congress, except for treason, felony, or breach of the peace...

Article XIII. Every State shall abide by the determination of the United States in Congress assembled, on all questions which by this confederation are submitted to them. And the Articles of this Confederation shall be inviolably observed by every State, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of every State. ⑧

cont'd.

⑤ According to the Articles of Confederation, representatives to the federal government should be appointed annually. This passage provides an interesting opportunity to discuss the idea of effective government with your students. The founding fathers were faced with the need to build a government from scratch. As such, they needed to make some hard decisions about what they thought would result in the most effective government.

⑥ This passage shows that there was an ongoing debate about how the states should be represented in Congress. The Articles of Confederation allows for two to seven representatives for states but does not specify how those representatives should be allocated. This proved to be a major point of controversy for the states. One of the major arguments that led to the creation of the Constitution of the United States was the conflict between representation based on population or standardized representation. The tension was resolved through the creation of a bicameral Congress.

⑦ Questions for Discussion

Each state is allocated one vote in Congress.

1. Is one vote per state fair?
2. Why or why not?
3. How could this approach cause tension among the states?

⑧ Questions for Discussion

The language in this section may prove challenging for students. Encourage them to read it carefully. If they need additional help, point out that alterations to constitutions are often called amendments. In this case, any amendment would need to have unanimous support from the state legislatures.

1. How can the Articles of Confederation be amended?
2. Does this process seem practical?
3. Why or why not?

And Whereas it hath pleased the **Great Governor of the World** to incline the hearts of the legislatures we respectively represent in Congress, to approve of, and to authorize us to ratify the said Articles of Confederation and perpetual Union. Know Ye that we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said Articles of Confederation and perpetual Union, and all and singular the matters and things therein contained: And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States in Congress assembled, on all questions, which by the said Confederation are submitted to them. And that the Articles thereof shall be inviolably observed by the States we respectively represent, and that the Union shall be perpetual.

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9 Questions for Discussion

1. Who is the "Great Governor of the World"?
2. In your opinion, why did the writers avoid more conventional religious terminology?
3. What does the use of this phrase demonstrate about the writers of the Articles of Confederation?

10 Despite the desire of the signers, the Union was not perpetual. The central government that it created was too limited to be effective. After the Revolution, the Articles of Confederation was replaced by the Constitution of the United States, which gave the federal government significantly more authority.

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Key Terms

Sovereignty

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Confederation

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Ratification

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Discussion Questions

What is the historical context of this document?

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What is the point of view, audience, and purpose of this document? How does that change your understanding of the document?

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How does this document demonstrate the inherent weaknesses of the government that it establishes?

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NOTES

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Document 2

Ronald Reagan, *Proclamation 5598—Shays' Rebellion Week and Day*, January 13, 1987

After the War of Independence, Americans continued to live under the Articles of Confederation. Problems of economic recovery and sluggish international trade clouded the horizon. In this climate of economic difficulties and the recent memory of a bitter struggle for freedom, Shays' Rebellion took place.

Unlike many other States, Massachusetts had not passed debt relief laws. In the fall of 1786, some Massachusetts debtors tried to stop court-ordered confiscation of land and property by using force to prevent the courts from sitting. Governor Bowdoin responded by calling out the State militia and asking other States for help.

Although the Continental Congress lacked the power and resources to assist, the uprising eventually was suppressed. On January 25, 1787, Daniel Shays, a captain during the Revolution, led a group of debtors who sought to stop the State Supreme Court from meeting. They attacked the courthouse at Springfield and the Federal arsenal. The State militia repelled this assault, and soon the uprising was over. A new State legislature granted some of the insurgents' demands and pardoned or gave lenient sentences to their leaders. This judicious policy and the return of prosperity soon restored harmony in Massachusetts.

cont'd.

Commentary

Historical Background

Ronald Reagan was initially elected to the presidency in 1980. This proclamation was issued in 1987, three years into his second term.

Reagan was elected on a political platform rooted in conservative policies that favored limited government involvement, aggressive military armament, and large-scale deregulation of business activities.

1 Questions for Discussion

This phrase is a good opportunity to discuss the idea of point of view and perspective with your students. Reagan is framing Shays' Rebellion against a background of economic instability that mirrors, in many ways, the period of stagflation, high unemployment, and high inflation that characterized the economics of the late 1970s. Students should be encouraged to think about how much later historians "read backwards" from their current position in history into the past. You may want to point out that there is a natural tendency to interpret historical events through our own perspectives. There is nothing inherently wrong with this practice as long as point and view and perspective are acknowledged.

1. What was the economic situation facing the former colonists after the American Revolution?
2. What was the economic situation facing Ronald Reagan during his presidency?
3. How were these two situations? How were they different?

2 Under the Articles of Confederation, state militias were responsible for maintaining law and order in their borders. This passage demonstrates that individual states often struggled to meet demands. The weakness of this system is further highlighted by the fact that Governor Bowdoin can only request help from other states. He cannot compel other states to assist or count on help from the federal government.

3 The rebellion was put down by military means. Based on your discretion, you may want to consider engaging students in a discussion of how rebellion or civil protest is handled within the United States. Students may find it helpful to be reminded that this event took place under the Articles of Confederation, not the U.S. Constitution and the Bill of Rights. Would these citizens have had the right to peaceable assemble? To free speech? To freedom of the press?

Thomas Jefferson believed that the rebels' activities were motivated by "ignorance, not wickedness." He pointed out that the majority of the people of Massachusetts had sided with the government, and he concluded that "the good sense of the people will always be found to be the best army." Although many Americans were satisfied with the Articles of Confederation and were wary of a strong central government, Shays' Rebellion did give impetus to the Federalists' call for the establishment of what George Washington termed "a more efficient general government."

4

5

At the Annapolis Convention of 1786, Federalists had publicized commercial disputes among the States. Now they cited the insurgency to bolster their claim that a Federal charter was needed in place of the Articles of Confederation. On February 21, 1787, the Continental Congress called for a Constitutional Convention in Philadelphia in May to amend the Articles. Fresh in the minds of the assembled delegates, Shays' Rebellion was to have a profound and lasting effect on the framing of our Constitution and on our subsequent history.

6

4 Questions for Discussion

This is a striking turn of phrase that comes out of Thomas Jefferson's letter to Edward Carrington, January 16, 1787. Encourage students to spend some time with it because it directly relates to the idea that the Articles of Confederation established a weak federal government without a centralized military. In this letter, Jefferson argues that a federalized army is not necessary because Americans have enough "good sense" to get by without one.

1. Can you put this in your own words? What does it mean?
2. Is Jefferson's opinion reflected in the Articles of Confederation? How?
3. Is Jefferson's opinion reflected in the U.S. Constitution? How?

5 Many of the Federalist Papers are required Foundational Documents for the AP® U.S. Government and Politics Exam. They also show up regularly on the Argument Essay. Students should be encouraged to be able to quickly summarize the arguments of the required Federalist Papers and link them to other Foundational Documents. As you review this document, you may also want to briefly review Federalist No. 51, which responded to the weaknesses of the Articles of Confederation by arguing for a balanced government with checks and balances.

6 Questions for Discussion

1. Citing specific examples, what was the effect of Shays' Rebellion on the U.S. Constitution?
2. Did the U.S. Constitution address the challenges in the Articles of Confederation that led to Shays Rebellion? How?

Key Terms

Militia

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Federalist

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Discussion Questions

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Challenges of the Articles of Confederation

Document 1

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At the Annapolis Convention of 1786, Federalists had publicized commercial disputes among the States. Now they cited the insurgency to bolster their claim that a Federal charter was needed in place of the Articles of Confederation. On February 21, 1787, the Continental Congress called for a Constitutional Convention in Philadelphia in May to amend the Articles. Fresh in the minds of the assembled delegates, Shays’ Rebellion was to have a profound and lasting effect on the framing of our Constitution and on our subsequent history.

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How to Earn a Thesis Point

You can earn up to one point for your thesis on the Argument Essay of the AP® United States Government and Politics Exam. In order to earn this point, your thesis must do three things:

1. Respond to the prompt

Your thesis must be a specific answer to the actual prompt, not a variation of the prompt or something more generally on the topic of the prompt. This means that you have to read the question multiple times and identify everything you must do to address it. It's a good idea to mark up the prompt and underline key words. While you will want to borrow certain words and phrases from the prompt, you do not want to merely restate it.

2. Make a defensible claim

Your thesis must make a specific claim that could be defended with evidence. Avoid overly vague phrases about the U.S. government ("throughout the ages," "freedom is important," and "federalism is complicated") and get specific. Also, make sure that you can actually support your claims with specific evidence from foundational documents or other sources.

3. Establish a line of reasoning

It's not enough to just answer the question. You must "establish a line of reasoning," which means explaining why your answer to the prompt is correct. The best word in the English language for this is "because": X happened "because" A, B, and C. You can also use phrases like "as a result of" or "due to" or "on account of." The point is that you must show some rationale behind your argument that goes beyond merely stating your claim.

Frequently Asked Questions

How long should a thesis be?

The thesis is normally one or two sentences in length. It's very natural to split the thesis into two sentences with the "line of reasoning" in the second sentence. There is no perfect length or word count for the thesis. What matters is that you fulfill all the criteria of the rubric.

Where should the thesis be located?

Your thesis should be located in the introductory paragraph or the conclusion. You can make the grader's job as easy as possible by putting your thesis clearly at the end of the first paragraph. It will help set the tone for your whole essay and for your grader's experience with your essay. Don't worry about repeating yourself. Use different words to express your main idea again.

NOTES

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Argument Essay

Develop an argument that analyzes the extent to which the U.S. Constitution addressed key weaknesses of the Articles of Confederation.

Use at least one piece of evidence from one of the following foundational documents:

- The Articles of Confederation
- Federalist No. 51
- U.S. Constitution

In your response, you should do the following:

- ✓ Respond to the prompt with a thesis or defensible claim that establishes a line of reasoning.
- ✓ Support your argument with a minimum of TWO pieces of evidence. These pieces of evidence must be specific and relevant.
 - One piece of evidence must come from one of the foundational documents listed in the question.
 - The second piece of evidence can come from either a foundational document not already used, or from your knowledge of course materials.
- ✓ Use reasoning to analyze why the evidence you selected supports your thesis or claim.
- ✓ Show awareness of and respond to opposing or alternative perspectives. Use refutation, concession, or rebuttal to make this part of your argument.

Intro:

Write or type your response in this area.

Thesis Statement:

Write or type your response in this area.