

Creating the Constitution

8.1 Introduction

When the Revolutionary War ended, no one was happier than a small, bookish Virginia Patriot named James Madison. And no one was more worried about the future of the United States.

While serving in Congress during the war, Madison had tried and failed to get the states to work easily together. He doubted that things would improve now that the war was over.

After declaring independence in 1776, Congress had tried to unite the states under one national government. This proved to be a difficult task. Most members of Congress were nervous about creating a strong central government. They feared that such a government would trample the very rights they were fighting to preserve.

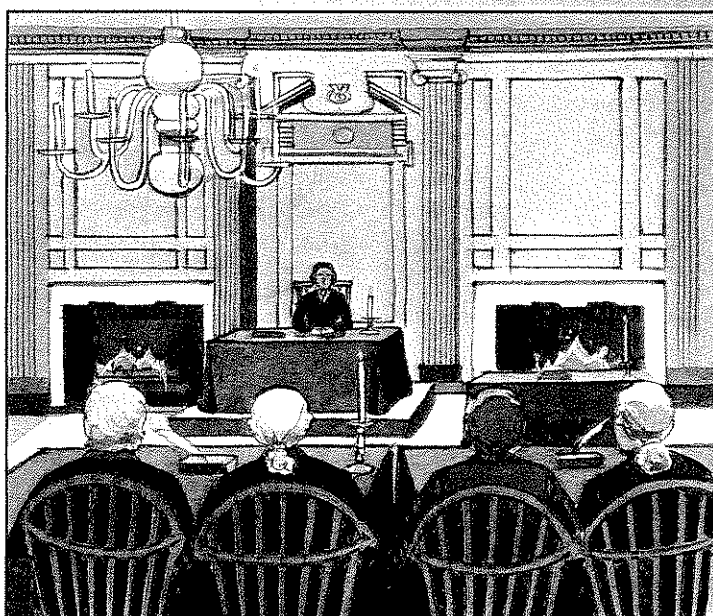
Their solution was a plan of government known as the *Articles of Confederation*. The Articles created “a firm league of friendship” in which “each state retains its sovereignty, freedom, and independence.”

This “league of friendship” was a loose union in which the 13 states cooperated for common purposes. It was run by Congress, in which each state had one vote.

On paper, the Articles of Confederation gave Congress several important powers. It could make war and peace, raise an army and a navy, print money, and set up a postal system.

In reality, however, these powers were limited by the inability of Congress to impose taxes. Instead, Congress had to ask the states for funds to do anything. All too often, the states ignored Congress’s “humble requests.” The result, said Madison, was that the Articles were no more effective at binding the states into a nation than “a rope of sand.”

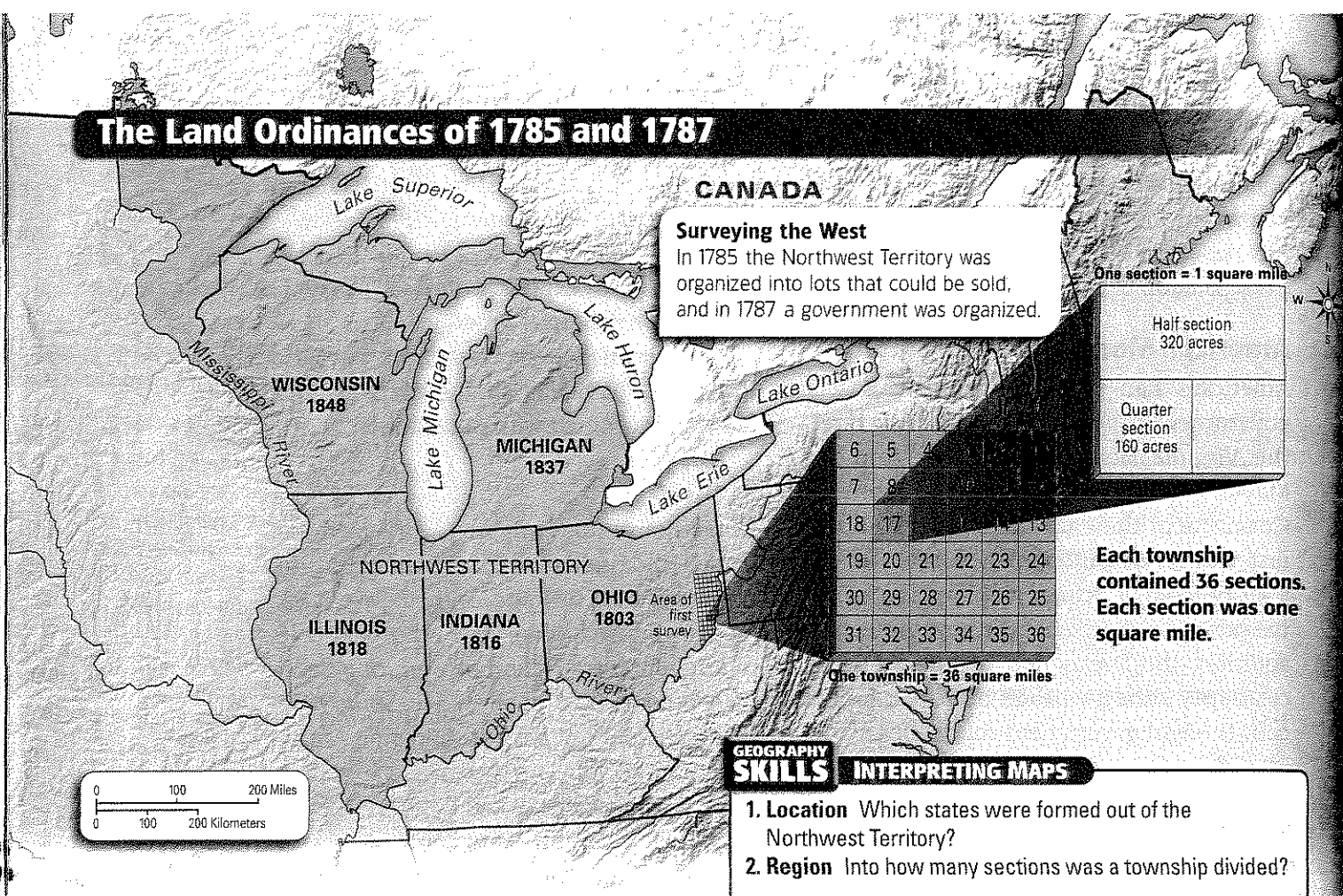
In this chapter, you will read about the new nation’s shaky start under the Articles of Confederation. You will also learn how Madison and other leaders came together in Philadelphia’s Independence Hall in 1787 in the hope of forming “a more perfect union.”



Graphic Organizer: Illustration

You will annotate this drawing of the Assembly Room at Independence Hall to organize information about the Constitutional Convention.

The Land Ordinances of 1785 and 1787



Articles of Confederation

The Second Continental Congress was organized to create a national government. The Continental Congress appointed a Committee of Thirteen, with one member from each colony. This group was assigned to discuss and draft the Articles of Confederation, the new national constitution.

Under the **Articles of Confederation**, Congress would become the single branch of the national government, but it would have limited powers in order to protect the liberties of the people. Each state had one vote in the Congress. Congress could settle conflicts among the states, make coins, borrow money, and make treaties with other countries and with Native Americans. Congress could also ask the states for money and soldiers. However, states had the power to refuse these requests. In addition, the government did not have a president or a national court system.

The Second Continental Congress passed the Articles of Confederation on November 15, 1777. Then it sent the Articles to each state legislature for **ratification**, or official approval, before the new national government could take effect.

Conflicts over claims to western lands slowed the process, but by 1779 every state except Maryland had ratified the Articles. Maryland's leaders refused to ratify until other states gave up their western land claims. Thomas Jefferson assured Maryland that western lands would be made into new states, rather than increasing territory for existing states. Satisfied with this condition, in March 1781 Maryland ratified the Articles. This put the first national government of the United States into effect.

READING CHECK Summarizing What were two weaknesses in the new national government?