BACKGROUND NOTE 1.5A

THE FIRST GOVERNMENT

Our nation’s first attempt at self-rule—our first official government—was created under the Articles of Confederation, which were adopted by the Second Continental Congress on March 1, 1781. Having turned away from a powerful centralized government (British rule), it is not surprising that the foremost goal for the Articles’ creators was to create a mechanism for drawing the 13 new states together—but at the same time allowing each state to remain mostly independent. The central government might coordinate and recommend policies, but it had no way to enforce these policies if the states refused. It would be a confederate-style government, not a unified government. (See the Background Note for Lesson 1.)

The Articles placed the policy-development process in a congress, where each state was given one vote regardless of the state’s size. The delegates to this body were messengers of the states, appointed to their posts by their state legislatures. They were paid by the states (not the federal government) and could be stripped of their position by their state legislatures at any time. An analogy would be today’s United Nations, where each nation has one delegate and one vote, and where this delegate serves at the discretion of the host government. On paper, at least, this congress had power to conduct foreign affairs, wage war, create a postal service, appoint military officers, borrow money, and determine the value of coinage.

In practice, however, the reality was much different. First, the national government had no mechanism for collecting revenue from the states or from the citizens of the various states. States could simply refuse to send money, which most did. Without resources, a government cannot operate.

Second, the national government had no way of regulating commerce. It was quite common, for example, for each state to tax imports from other states. Each state also coined its own money. Can you imagine the confusion that would result if each of the 50 states produced its own currency today? And what if the value of each state’s currency varied?

Third, the federal government was unable to conduct foreign affairs—to speak to other nations with a unified voice. Emissaries from other nations became frustrated with having to negotiate treaties and agreements with each of the states. Foreign commerce became especially difficult. Foreign governments, for instance, would pit one state against another when trying to forge the best deal.

Fourth, the mechanism to alter the Articles proved too difficult, as any change required the unanimous consent of all 13 states. Conversely, just one state could veto any change. So even if most of the states agreed to create ways to compel the payment of taxes or to eliminate state tariffs, for example, a single “no” vote could kill the plan.

Another key shortcoming was the lack of leadership and accountability within the federal government. Simply stated, there was no one in charge. This omission was intentional, given the fear that any individual or group made “accountable” would also have the opportunity to abuse their powers and become corrupt. Again, the colonists had jettisoned one government and started a war against a king. Vesting a single person with significant powers was deemed too risky.

This issue of accountability came to a head in 1786, nevertheless, in western Massachusetts. Desperate for relief from an agricultural depression, a group of farmers, led by former Patriot militia captain Daniel Shays, rallied and demanded new laws that would help them make ends meet and keep their farms. Within days, Shays’s Rebellion grew to nearly 2,500 and violence...
broke out as the protestors clashed with the state militia. The group then turned their anger on the national government, threatening to storm a federal arsenal at Springfield. A plea was made to the national government for assistance, but there was no person or group to take the call, so to speak. No one was in charge, so no assistance was sent.

To many, Shays’s Rebellion suggested that excessive liberty and freedom—that is, an open democratic society—carried risks. A truly open system was fertile soil for violence and anarchy, some believed. **Alexander Hamilton**, one of the key national leaders at that time, went so far as to question “whether societies of men are really capable or not of establishing good government from reflection and choice,” meaning that he had doubts about democracy and self-governance. Equally important, the event suggested that the federal government was simply too weak, and that a more centralized system was needed. Someone or something needed to be in charge.

Within a few months after the event in Massachusetts, a meeting was organized by James Madison to discuss ways to strengthen the government and reduce interstate conflicts. It was held at Annapolis, Maryland. Attendance at the event was modest, but the few delegates who attended passed a motion that all states should send delegates to Philadelphia the following summer, with the goal of discussing ways to improve the Articles. This gathering was, of course, the **Constitutional Convention**. Instead of modifying the Articles, however, they created a very different form of government.