

Articles of Confederation vs. the Constitution

The following chart compares some of the provisions of the Articles of Confederation with those in the Constitution. It's important to note that most commentators see the Articles period (1781-1789) as a weak one in terms of governmental power. Whether that is a positive or negative for the United States depends on one's point of view regarding the size and influence of a national government. Those favoring a limited government, (Libertarians, for example) would view the Articles period as the pinnacle of American freedom, while those favoring a strong central government would see it as a failure.

| | Articles of Confederation | Constitution |
|--------------------------|--|---|
| Levying taxes | Congress could request states to pay taxes | Congress has right to levy taxes on individuals |
| Federal courts | No system of federal courts | Court system created to deal with issues between citizens, states |
| Regulation of trade | No provision to regulate interstate trade | Congress has right to regulate trade between states |
| Executive | No executive with power. President of U.S. merely presided over Congress | Executive branch headed by President who chooses Cabinet and has checks on power of judiciary and legislature |
| Amending document | 13/13 needed to amend Articles | 2/3 of both houses of Congress plus 3/4 of state legislatures or national convention |
| Representation of states | Each state received 1 vote regardless of size | Upper house (Senate) with 2 votes; lower house (House of Representatives) based on population |
| Raising an army | Congress could not draft troops and was dependent on states to contribute forces | Congress can raise an army to deal with military situations |
| Interstate commerce | No control of trade between states | Interstate commerce controlled by Congress |
| Disputes between states | Complicated system of arbitration | Federal court system to handle disputes between states and residents of different states. |
| Sovereignty | Sovereignty resides in states | Constitution was established as the supreme law of the land |
| Passing laws | 9/13 states needed to approve legislation | 50%+1 of both houses plus signature of President |