

THE NEW FEDERALIST PAPERS

ADDRESSED TO THE
PEOPLE OF THE
UNITED STATES OF
AMERICA

No. V

The Inadequacy of a Confederation

"A house divided against itself cannot stand."

-Abraham Lincoln, Sixteenth President of the United States of America

The previous edition of the New Federalist outlines the failure of a Unitary Government, and one may believe that such a government should be avoided at all costs. However, one should be careful about falling to the other side of the spectrum, a Confederation.

What is a Confederation Government? Britannica defines it to be a union of sovereign states in which the stress is laid on the autonomy of each constituent body. Over time, we the people of the United States have seen the rise and fall of two governments within our borders that preached such doctrines.

First was the Articles of Confederation, which had a national government only in name, and the second was the more infamous Confederate States of America, where the Southern states of the United States seceded and formed their own confederation. Both were created in reactionary periods of America, both soon failed. While the Confederate States of America fell due to war with the United States of America, the Articles of Confederation fell on their own merits. So what actually causes these unions to fail?

Let's first delve into the weaknesses evidenced by the government formed through the Articles of Confederation. Article II of the Articles of Confederation state that "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.” This line of the Articles of Confederation essentially degrades the central government into an entity without the power to pass uniform laws. One might ask, why must one need a central authority in the creation of a government?

The creation of the confederation left the United States of America without a way to regulate trade. James Madison, one of our Founding Fathers, once wrote a letter to Thomas Jefferson expressing the calamity that was a result of the Articles of Confederation. He wrote that “The States are every day giving proofs that separate regulations are more likely to set them by the ears than to attain the common object. When Massachusetts set on foot a retaliation of the policy of Great Britain, Connecticut declared her ports free. New Jersey served New York in the same way. And Delaware I am told has lately followed the example in opposition to the commercial plans of Pennsylvania. A miscarriage of this attempt to unite the states in some effectual plan will have another effect of a serious nature....I almost despair of success.”

Each state had their own policy when it came to trade, and that caused a number of economic issues within the confederation. Economic problems were compounded by the fact that without a strong federal government, the states had their own currencies which hindered the efficiency of the fledgling government. This fledgling government could not even tax its citizens, as only the states were authorized to tax their citizens. Without taxation, this government had few resources to deliver on their duties, which eventually led the central government to be cash strapped.

Next, within the confederation, there was no clear leadership that existed, mainly because the leaders existed at a state level. However, this posed a number of problems. First, there was no clear head of State. Under these Articles, there was no central figure around which this confederation revolved around, which caused a major problem in the sphere of diplomacy, as foreign countries, such as Great Britain, had numerous issues when it came to seeking out diplomatic agreements.

Another issue that spawned was the lack of a central judiciary, as the Articles gave the rights of a judiciary to the states within the Confederation; however, the question was soon raised as to how quarrels between the states within the confederation would be addressed. There was no great answer to this problem which plagued the Articles of Confederation through its short lifespan.

The third issue that evidenced the weaknesses of a confederation is the lack of an armed force. Under the Articles of Confederation, the central government, although tasked with the power of declaring war, could not field an army. Individual states had the right to volunteer their troops to the war effort, but there was no guarantee that these troops would come from every state.

Here opened the Doors of Death for the Articles of Confederation, with the crisis of Shay's Rebellion highlighting this fatal flaw. With the confederation government failing to effectively quell the Rebellion, the people of these United States of America woke up to the reality of the events around them, and came to the conclusion that we now know to be the truth that a confederation can not stand.

While the Articles of Confederation is not the ideal example of a confederation government, it highlighted the key issues of any confederation, and signals the need for a strong central government to form a more perfect Union, establish justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity. These words from the Constitution of the United States ring true as to the necessity of a Federal government to effectively govern all fifty states. We see through the last edition that neither a Unitary Government nor a Confederation Government fulfills the needs of the people of a nation, and that in order to effectively govern, the answer is not full centralization or decentralization, but rather a combination of both which can fix national problems as well as respect the rights of the states to form their own decisions, as no two states are alike. The next edition of the New Federalist shall delve further into this concept and will hopefully enlighten our audience to the necessity of a Federal Government.

PUBLIUS