

THE ARTICLES of CONFEDERATION

July 9, 1778

An overview

GENERAL CHARACTERISTICS:

- Created a decentralized league of independent sovereign states
- Departed from English precedent and established a revolutionary system
- State and local control preserved and protected from preemption
- Revolutionary radicals succeeded in institutionalizing key elements of their democratic cause

SPECIFIC ELEMENTS:

- Unicameral legislature representing the “free inhabitants of each of these States”
- No “upper house” or senate with veto power
- No executive branch with unilateral authorities
- No judicial branch with veto power
- No centralized “federal” (national) government with veto power
- No preemption of State or local law by national law (no supremacy clause)
- No standing army
- Term limits
- No Commerce Clause
- No Contracts Clause
- Slavery not officially legalized
- No “national” war-making power
- No “nationhood”