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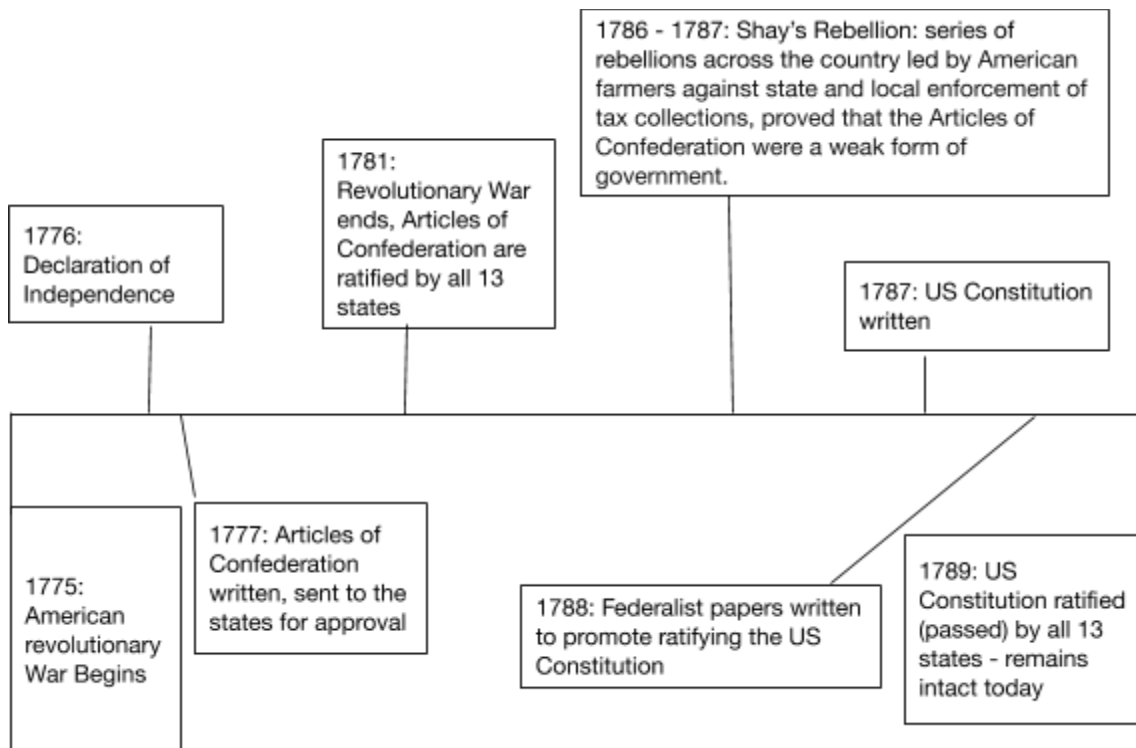
Articles of Confederation vs. Constitution

Analysis

Aim

*What kind of government was set up by the Articles of Confederation?
How does this compare to the US Constitution?*

Directions: Analyze the timeline below to understand the historical context for the Articles of Confederation, Federalist Papers, and US Constitution. Answer the analysis questions that follow.



Analysis Questions:

- 1) According to this timeline, which event proved that the Articles of Confederation were weak?
- 2) According to the information provided in this timeline, make an inference as to whether or not the following statement is true or false: *The US Constitution provided America with a stronger government than the Articles of Confederation.*

Comparing Articles of Confederation and the US Constitution

Directions: Compare the Articles of Confederation and US Constitution by reading six different excerpts and answering the analysis questions that follow.

Defining the Union

Articles of Confederation	Constitution
1 Article I. The site of this confederacy shall be 2 “The United States of America”. 3	1 Preamble: We the People of the United 2 States, in Order to form a more perfect 3 Union, establish Justice, insure domestic
4 Article II. Each state retains its sovereignty 5 [supreme power, authority], freedom and 6 independence, and every power, jurisdiction 7 and right... 8	4 Tranquility, provide for the common 5 defence, promote the general Welfare, and 6 secure the Blessings of Liberty to ourselves 7 and our Posterity, do ordain and establish 8 this Constitution for the United States of 9 America.
9 Article III. The said states hereby severally 10 enter into a firm league of friendship with 11 each other, for their common defence, the 12 security of their Liberties, and their mutual 13 and general welfare, binding themselves to 14 assist each other, against all force offered 15 to, or attacks made upon them, or any of 16 them, on account of religion, sovereignty, 17 trade, or any other pretence whatever.	

Analysis Questions:

- 1) *Close Reading:* What does the phrase “firm league of friendship” (ln. 10) suggest to you about the relationship that states in the union will have with one another under the Articles of Confederation?
- 2) *Analysis:* Which document seems to emphasize the individual power of states? Cite textual evidence to support your answer.
- 3) *Analysis:* Which document seems to emphasize a unified national identity? Cite textual evidence to support your answer.

Structures of Congress

Articles of Confederation	Constitution
<p>1 Article V. For the more convenient 2 management of the general interests of the 3 United States, delegates shall be annually 4 appointed in such manner as the legislature 5 of each state shall direct, to meet in one 6 house of Congress... No State shall be 7 represented in Congress by less than two, 8 nor by more than seven Members.... In 9 determining questions in the United States, 10 in Congress assembled, each state shall 11 have one vote.</p>	<p>1 Article I - Section I: All legislative Powers 2 herein granted shall be vested in a Congress 3 of the United States, which shall consist of a 4 Senate and House of Representatives. 5 6 Article I - Section II: The House of 7 Representatives shall be composed of 8 Members chosen every second Year by the 9 People...Representatives....shall be 10 apportioned among the several States which 11 may be included within this Union, 12 according to their respective Numbers, 13 which shall be determined by adding to the 14 whole Number of free Persons, including 15 those bound to Service for a Term of Years, 16 and excluding Indians not taxed, three fifths 17 of all other Persons... the number of 18 representatives per state shall not exceed 19 one per 30,000... 20 21 Article I - Section III: The Senate of the 22 United States shall be composed of two 23 Senators from each State... for six Years; 24 and each Senator shall have one vote</p>

Analysis Questions:

- 1) *Analysis:* How is the structure of Congress different under the Articles of Confederation & the Constitution?

- 2) *Analysis:* What are the advantages of a bicameral [two houses/governing bodies] structure of Congress proposed by the Constitution as opposed to the unicameral [one house/governing body] structure proposed by the Articles of Confederation?

Executive & Judicial Branch

Constitution

Article II

- 1 Section I - The executive Power shall be vested in a President of the United States of America.
- 2 He shall hold his Office during the Term of four Years...
- 3
- 4 Section II - The President shall be Commander in Chief of the Army and Navy of the United
- 5 States, and of the Militia of the several States, when called into the actual Service of the United
- 6 States...He shall have Power, by and with the Advice and Consent of the Senate, to make
- 7 Treaties

Article III

- 1 Section I - The judicial Power of the United States, shall be vested in one supreme court...

Analysis Questions:

- 1) *Close Reading:* According to line 1 of article II section I, what power does the Constitution grant the President? What does this imply to you or tell you about his role in government?

- 2) *Analysis:* The Articles of Confederation does not specify or establish an executive branch. Instead, the same powers listed in Article II of the Constitution are almost all granted to Congress (made up of representatives of the states), including command of the army & the power to make treaties. What does that suggest the Articles of Confederation values: state's rights or federal power? Why?

- 3) *Close Reading:* According to Article III of the Constitution, where does the judicial power of the United States lie?

- 4) *Analysis:* The Articles of Confederation does not specify or establish a judicial branch. Instead, the states each establish and maintain their own courts, individually. What are the advantages of having one supreme court, as established by Article III of the Constitution, instead of having each state have its own court or legal system?

Taxes

Articles of Confederation	Constitution
1 Article VIII. All charges of war, and all other 2 expenses that shall be incurred for the 3 common defence or general welfare, shall 4 be defrayed out of a common treasury, 5 which shall be supplied by the several 6 states, in proportion to the value of all land 7 within each state, granted to or surveyed for 8 any person, as such land and the buildings 9 and improvements thereon shall be 10 estimated, according to such mode as the 11 United States, in Congress assembled, 12 shall, from time to time, direct and appoint. 13 The taxes for paying that proportion shall be 14 laid and levied by the authority and direction 15 of the legislatures of the several states....	1 Article I - Section VIII: The Congress shall 2 have Power To lay and collect Taxes....and 3 Excises [tax on goods], to pay the Debts 4 and provide for the common Defence and 5 general Welfare of the United States; but all 6 Duties [taxes]...and Excises [tax on goods] 7 shall be uniform throughout the United 8 States

Analysis Questions:

- 1) *Analysis:* What is different about the system for collecting taxes under the Articles of Confederation as compared to the Constitution?

- 2) *Analysis:* Which system for tax collection suggests that all states are equally important to the union? Cite textual evidence to support your claim.

- 3) *Analysis:* Which system for tax collection supports the idea that some states are worth more than other states?

Amendments

Articles of Confederation	Constitution
<p>1 Article XIII. Every State shall abide by the 2 determinations of the United States, in 3 Congress assembled, on all questions which 4 by this confederation are submitted to them. 5 And the articles of this confederation shall 6 be inviolably observed by every state, and 7 the union shall be perpetual; nor shall any 8 alteration at any time hereafter be made in 9 any of them, unless such alteration be 10 agreed to in a Congress of the United 11 States, and be afterwards confirmed by the 12 legislatures of every state in the union.</p>	<p>1 The Congress, whenever two thirds of both 2 Houses shall deem it necessary, shall 3 propose Amendments to this 4 Constitution....shall be valid to all Intents 5 and Purposes, as Part of this Constitution, 6 when ratified by the Legislatures of three 7 fourths of the several States.....</p>

Analysis Questions:

1) *Close Reading*: According to line 12, how many states have to agree to any changes or amendments made to the Articles of Confederation?

2) *Analysis*: Which process for Amendments creates a more flexible governing structure?

Bill of Rights

Constitution

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government...

Amendment II

... the right of the people to keep and bear arms, shall not be infringed.

Amendment III

No soldier shall, in time of peace be quartered in any house, without the consent of the owner...

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause...

Amendment V

No person shall be held to answer for crime, unless on indictment of a grand jury...nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury ...to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved...

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

Analysis Questions:

- 1) *Analysis:* The Articles of Confederation do not have a comparable Bill of Rights. Based on this information, and the text of the Bill of Rights above, which document do you think more explicitly protects the basic rights of people? Why?

- 2) *Argument:* In your opinion, which of the amendments is most important? Why?



Articles of Confederation vs. Constitution

Analysis

Written Task

The Bill of Rights were intensely debated at the Constitutional Convention. One group, known as the **Federalists** felt that they weren't necessary, because they believed that the Constitution as it stood only limited the government and not the people. The **Anti-Federalists** claimed the Constitution gave the central government too much power, and without a Bill of Rights the people would be at risk of oppression. Which side do you think was right? Are the Bill of Rights necessary?