

Activity 1: The Problem of Congress' Lack of Authority

Student Name _____ Date _____

Directions (Group 1): Read the following document and complete the questions on the worksheet.

From Alexander Hamilton, *The Federalist No. 15*:
<http://www.yale.edu/lawweb/avalon/federal/fed15.htm>

We may indeed with propriety be said to have reached almost the last stage of national humiliation. There is scarcely anything that can wound the pride or degrade the character of an independent nation which we do not experience. Are there engagements to the performance of which we are held by every tie respectable among men? These are the subjects of constant and unblushing violation. Do we owe debts to foreigners and to our own citizens contracted in a time of imminent peril for the preservation of our political existence? These remain without any proper or satisfactory provision for their discharge. Have we valuable territories and important posts in the possession of a foreign power which, by express stipulations, ought long since to have been surrendered? These are still retained to the prejudice of our interests, not less than of our rights. Are we in a condition to resent or to repel the aggression? We have neither troops, nor treasury, nor government. Are we even in a condition to remonstrate with dignity? The just imputations on our own faith in respect to the same treaty ought first to be removed. Are we entitled by nature and compact to a free participation in the navigation of the Mississippi? Spain excludes us from it. Is public credit an indispensable resource in time of public danger? We seem to have abandoned its cause as desperate and irretrievable. Is commerce of importance to national wealth? Ours is at the lowest point of declension. Is respectability in the eyes of foreign powers a safeguard against foreign encroachments? The imbecility of our government even forbids them to treat with us. Our ambassadors abroad are the mere pageants of mimic sovereignty. Is a violent and unnatural decrease in the value of land a symptom of national distress? The price of improved land in most parts of the country is much lower than can be accounted for by the quantity of waste land at market, and can only be fully explained by that want of private and public confidence, which are so alarmingly prevalent among all ranks and which have a direct tendency to depreciate property of every kind. Is private credit the friend and patron of industry? That most useful kind which relates to borrowing and lending is reduced within the narrowest limits, and this still more from an opinion of insecurity than from the scarcity of money. To shorten an enumeration of particulars which can afford neither pleasure nor instruction, it may in general be demanded, what indication is there of national disorder, poverty, and insignificance that could befall a community so peculiarly blessed with natural advantages as we are, which does not form a part of the dark catalogue of our public misfortunes?

This is the melancholy situation to which we have been brought by those very maxims and counsels which would now deter us from adopting the proposed Constitution; and which, not content with having conducted us to the brink of a precipice, seem resolved to plunge us into the abyss that awaits us below. Here, my countrymen, impelled by every motive that ought to influence an enlightened people, let us make a firm stand for our safety, our tranquillity, our dignity, our reputation. Let us at last break the fatal charm which has too long seduced us from the paths of felicity and prosperity.

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Directions (Group 2): Read the following document and complete the questions on the worksheet.

[Robert Morris to the President of Congress](http://teachingamericanhistory.org/library/index.asp?document=1588), 17 Mar. 1783:
<http://teachingamericanhistory.org/library/index.asp?document=1588>

I have gone into these few details merely to elucidate one position, viz., that *all the money now at our command, and which we may expect from the States for this two months to come, will not do more than satisfy the various engagements which will by that time have fallen due.*

It is of importance that Congress should know their true situation, and therefore I could wish that a committee were appointed to confer with the minister of France. My reason for that wish is, that every member of Congress may have the same conviction which I feel of one important fact—that *there is no hope of any further pecuniary aid from Europe...*

But whatever may be the ability of nations or individuals, we can have no right to hope, much less to expect the aid of others, while we show so much unwillingness to help ourselves. It can no longer be a doubt to Congress *that our public credit is gone.* It was very easy to foresee that this would be the case, and it was my particular duty to predict it. This has been done repeatedly. I claim no merit from the prediction, because a man must be naturally or wilfully blind who could not see *that credit can not long be supported without funds.*

From what has already been said, Congress will clearly perceive the necessity of further resources. What means they shall adopt it is their wisdom to consider. They can not borrow, and the States will not pay. *The thing has happened which was expected.* I can not presume to advise. Congress well know that I never pretended to any extraordinary knowledge of finance, and that my deficiencies on this subject were a principal reason for declining the office. I have since had reason to be still more convinced of my incompetency, because the plans which I did suggest have not met with approbation. I hope, therefore, that some abler mind will point out the means to save our country from ruin.

I do assure you, sir, that it is extremely painful to me to be obliged to address Congress on this subject. I wish most sincerely that I could look at our future prospects with the same indifference that others have brought themselves to regard them. Perhaps I am not sufficiently sanguine. It is common for age to listen more to the voice of experience than youth is inclined. The voice of experience foretold these evils long since. There was a time when we might have obviated them, but I fear that precious moment is passed...

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Directions (Group 3): Read the following document and complete the questions on the worksheet.

[Gouverneur Morris to John Jay, 1 Jan. 1783:](http://teachingamericanhistory.org/library/index.asp?document=1583)

<http://teachingamericanhistory.org/library/index.asp?document=1583>

Gen. McDougall, Col. Brooks of the Massachusetts and Col. Ogden of the Jersey Line are now here with a Petition to Congress from the Army for Pay. The Army are now disciplined and their wants as to food and Cloathing are relieved but they are not paid. Their back Accounts are not settled. If settled the Ballances are not secured by competent funds. No Provision is made for the Half-Pay promised them. Some Persons and indeed some States pretend to dispute their Claim to it. (THE ARMY HAVE SWORDS IN THEIR HANDS. YOU KNOW ENOUGH OF THE HISTORY OF MANKIND TO KNOW MUCH MORE THAN I HAVE SAID AND POSSIBLY MUCH MORE THAN THEY THEMSELVES YET THINK OF.) I will add however that I am glad to see Things in their present Train. Depend on it good will arise from the Situation to which we are hastening. And this you may rely on that my Efforts will not be wanting. I pledge myself to you on the present occasion and ALTHOUGH I THINK IT PROBABLE THAT MUCH OF CONVULSION WILL ENSUE, YET IT MUST TERMINATE IN GIVING TO GOVERNMENT THAT POWER WITHOUT WHICH GOVERNMENT IS BUT A NAME. GOVERNMENT IN AMERICA IS NOT POSSESSED OF IT (BUT THE PEOPLE ARE WELL PREPARED. WEARIED WITH THE WAR, THEIR ACQUIESCENCE MAY BE DEPENDED ON WITH ABSOLUTE CERTAINTY AND YOU AND I, MY FRIEND, KNOW BY EXPERIENCE THAT WHEN A FEW MEN OF SENSE AND SPIRIT GET TOGETHER AND DECLARE THAT THEY ARE THE AUTHORITY, SUCH FEW AS ARE OF A DIFFERENT OPINION MAY EASILY BE CONVINCED OF THEIR MISTAKE BY THAT POWERFUL ARGUMENT THE HALTER. IT IS, HOWEVER, A MOST MELANCHOLY CONSIDERATION THAT A PEOPLE SHOULD REQUIRE SO MUCH OF EXPERIENCE BEFORE THEY WILL BE WISE. IT IS STILL MORE PAINFUL TO THINK THAT THIS EXPERIENCE IS ALWAYS BOUGHT SO DEAR. ON THE WISDOM OF THE PRESENT MOMENT DEPENDS MORE THAN IS EASILY IMAGINED, AND WHEN I LOOK ROUND FOR THE ACTORS—LET US CHANGE THE SUBJECT.)

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Directions (Group 4): Read the following document and complete the questions on the worksheet.

[George Washington to James Warren, 7 Oct. 1785:](http://gwpapers.virginia.edu/documents/constitution/1784/warren.html)
<http://gwpapers.virginia.edu/documents/constitution/1784/warren.html>

Dear Sir:

...The war, as you have very justly observed, has terminated most advantageously for America, and a fair field is presented to our view; but I confess to you freely, My Dr. Sir, that I do not think we possess wisdom or Justice enough to cultivate it properly. Illiberality, Jealousy, and local policy mix too much in all our public councils for the good government of the Union. In a word, the confederation appears to me to be little more than a shadow without the substance; and Congress a nugatory body, their ordinances being little attended to. To *me*, it is a solecism in politics: indeed it is one of the most extraordinary things in nature, that we should confederate as a Nation, and yet be afraid to give the rulers of that nation, who are the creatures of our making, appointed for a limited and short duration, and who are amenable for every action, and recallable at any moment, and are subject to all the evils which they may be instrumental in producing, sufficient powers to order and direct the affairs of the same. By such policy as this the wheels of Government are clogged, and our brightest prospects, and that high expectation which was entertained of us by the wondering world, are turned into astonishment; and from the high ground on which we stood, we are descending into the vale of confusion and darkness.

That we have it in our power to become one of the most respectable Nations upon Earth, admits, in my humble opinion, of no doubt; if we would but pursue a wise, just, and liberal policy towards one another, and would keep good faith with the rest of the World: that our resources are ample and encreasing, none can deny; but while they are grudgingly applyed, or not applyed at all, we give a vital stab to public faith, and shall sink, in the eyes of Europe, into contempt.

It has long been a speculative question among Philosophers and wise men, whether foreign Commerce is of real advantage to any Country; that is, whether the luxury, effeminacy, and corruptions which are introduced along with it; are counter-balanced by the convenience and wealth which it brings with it; but the decision of this question is of very little importance to us: we have abundant reason to be convinced, that the spirit for Trade which pervades these States is not to be restrained; it behooves us then to establish just principles; and this, any more than other matters of national concern, cannot be done by thirteen heads differently constructed and organized. The necessity, therefore, of a controuling power is obvious; and why it should be withheld is beyond my comprehension...

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Directions (Group 5): Read the following document and complete the questions on the worksheet.

[Rufus King to Elbridge Gerry](#), 30 April 1786:

<http://teachingamericanhistory.org/library/index.asp?document=1589>

We go on in Congress as when you left us. Three days since October only have nine States been on the Floor. Eight are now here, when we shall have nine is a melancholy uncertainty. I proposed a few days since that Congress should resolve, that provided on a certain day, sufficiently distant for information to reach all the States in season, the States were not so represented as to give power to administer the Government, Congress would adjourn without day. Something of this kind must be done. It is a mere farce to remain here as we have done since last October. Foreigners know our situation and the friends of free Governments through the world must regret it.

Resolves have been passed upon Resolves—and letter after letter has been sent to the deficient States, and all without the desired effect. We are without money or the prospect of it in the Federal Treasury; and the States, many of them, care so little about the Union, that they take no measures to keep a representation in Congress. The civil list begin to clamour—there is not money to pay them: they are now unpaid for a longer period than since the circulation of Paper Money. The handful of troops over the Ohio are mutinous and desert because they are unpaid. The money borrowed in Europe is exhausted and this very day our Foreign Ministers have it not in their power to receive their salaries for their support.

Where, my dear friend, will the evils consequent to this inattention in the States terminate? The people of the States do not know their dangerous situation; this torpor and inactivity should alarm the Guardians of the People; but indeed the Legislatures seem the least attentive. Pray think of our situation *and advise me*. I can open my heart with freedom to you; you are now at home, and will be concerned in the Government of the State. Can there be no means devised whereby Massachusetts can yield something to the common Treasury? Since the organization of the Board of Treasury, the State has paid *nothing*. We are told of it in Congress—we justify by declaring that past exertions have exhausted us; but that we should revive, when the States would accede to such commercial Regulations as would place the American Navigation on *an equal footing* with that of Foreigners.

This is ostensible—but poor as we are I hope we could do more than we now accomplish—indeed the State neither pays anything to the federal Treasury, nor supports her Delegates.

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Directions (Group 6): Read the following document and complete the questions on the worksheet.

[George Washington to John Jay, 15 August 1786:](http://gwpapers.virginia.edu/documents/constitution/1784/jay2.html)
<http://gwpapers.virginia.edu/documents/constitution/1784/jay2.html>

Dear Sir:

...I'm sorry to be assured, of what indeed I had little doubt before, that we have been guilty of violating the treaty in some instances. What a misfortune it is the British should have so well grounded a pretext for their palpable infractions? And what a disgraceful part, out of the choice of difficulties before us, are we to act?

Your sentiments, that our affairs are drawing rapidly to a crisis, accord with my own. What the event will be is also beyond the reach of my foresight. We have errors to correct. We have probably had too good an opinion of human nature in forming our confederation. Experience has taught us, that men will not adopt & carry into execution, measures the best calculated for their own good without the intervention of a coercive power. I do not conceive we can exist long as a nation, without having lodged somewhere a power which will pervade the whole Union in as energetic a manner, as the authority of the different state governments extend over the several States. To be fearful of vesting Congress, constituted as that body is, with ample authorities for national purposes, appears to me the very climax of popular absurdity and madness... Many are of opinion that Congress have too frequently made use of the suppliant humble tone of requisition, in applications to the States, when they had a right to assume their imperial dignity and command obedience. Be that as it may, requisitions are a perfect nihility, where thirteen sovereign, independent, disunited States are in the habit of discussing & refusing compliance with them at their option. Requisitions are actually little better than a jest and a bye word throughout the Land. If you tell the Legislatures they have violated the treaty of peace and invaded the prerogatives of the confederacy they will laugh in your face. What then is to be done? Things cannot go on in the same manner forever. It is much to be feared, as you observe, that the better kind of people being disgusted with the circumstances will have their minds prepared for any revolution whatever. We are apt to run from one extreme into another. To anticipate & prevent disastrous contingencies would be the part of wisdom & patriotism.

What astonishing changes a few years are capable of producing! I am told that even respectable characters speak of a monarchical form of government without horror. From thinking proceeds speaking, thence to acting is often but a single step. But how irrevocable and tremendous! What a triumph for the advocates of despotism to find that we are incapable of governing ourselves, and that systems founded on the basis of equal liberty are merely ideal and fallacious! Would to God that wise measures may be taken in time to avert the consequences we have but too much reason to apprehend...

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Directions (Group 7): Read the following document and complete the questions on the worksheet.

[John Jay to Thomas Jefferson, 27 October 1786:](http://teachingamericanhistory.org/library/index.asp?document=1586)

<http://teachingamericanhistory.org/library/index.asp?document=1586>

The inefficacy of our government becomes daily more and more apparent. Our treasury and our credit are in a sad situation; and it is probable that either the wisdom or the passions of the people will produce changes. A spirit of licentiousness has infected Massachusetts, which appears more formidable than some at first apprehended. Whether similar symptoms will not soon mark a like disease in several other States is very problematical.

The public papers herewith sent contain everything generally known about these matters. A reluctance to taxes, an impatience of government, a rage for property and little regard to the means of acquiring it, together with a desire of equality in all things, seem to actuate the mass of those who are uneasy in their circumstances. To these may be added the influence of ambitious adventurers, and the speculations of the many characters who prefer private to public good, and of others who expect to gain more from wrecks made by tempests than from the produce of patient and honest industry. As the knaves and fools of this world are forever in alliance, it is easy to perceive how much vigour and wisdom a government, from its construction and administration, should possess, in order to repress the evils which naturally flow from such copious sources of injustice and evil.

Much, I think, is to be feared from the sentiments which such a state of things is calculated to infuse into the minds of the rational and well-intended. In their eyes, the charms of liberty will daily fade; and in seeking for peace and security, they will too naturally turn towards systems in direct opposition to those which oppress and disquiet them.

If faction should long bear down law and government, tyranny may raise its head, or the more sober part of the people may even think of a king.

In short, my dear sir, we are in a very unpleasant situation. Changes are necessary; but, what they ought to be, what they will be, and how and when to be produced, are arduous questions. I feel for the cause of liberty, and for the honour of my countrymen who have so nobly asserted it, and who, at present, so abuse its blessings. If it should not take root in this soil, little pains will be taken to cultivate it in any other.

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Directions: Read the assigned document for Activity 1 and answer the following questions.

Question	Answer
<p>What was your document, who is the writer, and why is he writing?</p>	
<p>What problems with the American political system or Articles of Confederation are articulated?</p>	
<p>What does the writer say are the causes of the problems articulated?</p>	
<p>Does the writer think that the problem can be fixed? If so, how?</p>	
<p>How significant do you think these problems were to American government? Explain.</p>	

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Teacher: Assign this only if you do not intend to proceed to Part 2 of Activity 2.

Directions: As each group presents its document to the class, take notes using this graphic organizer. Use the notes to write an essay titled "Problems With the Articles of Confederation."

Document Title	Author, Date, Purpose	Problems Identified/ Possible Consequences
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