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Comparison of the Articles of Confederation And The U.S. Constitution

# Introduction

The United States of America has been operated under the two constitutions. The first constitutions are considered to be The Articles of Confederation which was effected from the 1st of March 1781 which was ratified by Maryland. The second one is considered to be the Constitution of the U.S. that replaced the Articles of Confederation when New Hampshire ratified it on 21st of June 1788. Both of these documents have very much in common as they were introduced by the same people and often the same people and mostly in terms of contemporaries. If someone studied both these constitutions in details he would realize that there are more differences than similarities between them. If someone would compare these constitutions he would realize the important findings of Framers in 1781 and also what forced them to change their mind by 1788. This report compares both the constitutions that include the Articles of Confederation and the Constitution of U.S.

# Discussion

Formal Name of the Nation

In case of Articles of Confederation, the formal name of the nation is considered to the United States of America while in the U.S. Constitution it is not specified and referred to in the Introduction as the United States of America.

Legislature

Under the Articles of Confederation, the national government has a single body of legislative known as Congress of the United States. So, the national government had restricted authority under the Articles of Confederation. As the central government could not regulate commerce or levy taxes. This process of Legislature is also Unicameral. Whereas, under the U.S. Constitution the Legislative branch was divided into two houses one is known as House of Representative and the other one is known as Senate. Such method of the legislature is known as Bicameral.

Members of Congress

In Articles of Confederation, the members of Congress were considered to be numbers of members between two and seven per state while under the U.S. constitution there were only two senators per state and all the representatives were apportioned on the basis of the population of every state.

Voting in Congress

Under the Articles of Confederation, only one vote was allowed for each state. All the representative of each state has to cast only one vote with the mutual understanding of other members of their state while In the U.S. Constitution each representative or senator has to cast one vote so they have the right to vote according to their will.

Appointment of Members

In the articles of confederation, all the members are appointed by the legislatures of the state. Each member is directed by the legislature while under the U.S. Constitution all the representatives are elected by the voting process and the Senators are appointed by the legislatures of the State.

Term of Legislative Office

In the Articles of Confederation, the terms of legislative office were considered to be only one year while in case of U.S. constitution it is considered to be two years for the members of House of Representatives and six years for the members of House of Senate.

Term limit for legislative office

Under the articles of confederation, the term limit for the office of the legislature is considered to be no more than three out of each six years while in case of U.S. constitution there is no term limit for the office of the legislature.

When Congress is not in session

In Articles of Confederation, the States committee had the complete power and authority of Congress when the Congress is not in the session. They have the right to take any decision and give any orders which are related to the authorities of Congress while under the U.S. Constitution, the only president have the right for Congress to assemble during the time when Congress is not in session.

Chair of Legislature

In articles of confederation the chair of legislature for providing guidance, direction and leadership on the legislative matters of state was acquired by the president of Congress while under U.S. constitution this chair of legislative is acquired by the speaker of the House of Representative and the Vice president who is also considered to be the president of Senate. So, they have the right to guide, direct, and lead on the state’s legislative matters.

Executive

Under the Articles of Confederation, no members were considered to be the executive, while in the case of the U.S. Constitution, the president is considered to be the executive member.

National Judiciary

In the articles of Confederation, the judiciary of maritime was established while under the constitution of U.S. the Federal judiciary was established that also include the Supreme Court.

Adjudication of disputes between states

Under the articles of Confederation if any the dispute occurs between the states then the adjudicator of disputes between these states were considered to be the Congress while in case of U.S. constitution if any disputes occur when the Supreme court would be considered to be the adjudicator of disputes between the states.

New States

In case of articles of confederation, the proposal of new states was admitted upon only the existed nine states but there was a special exemption for Canada while under the U.S. constitution proposal of new states were only admitted upon the Congress agreement. Congress has only the right to decide on the new states.

Amendment

Under the Articles of Confederation, the amendments were done when all the states were agreed while in the Constitution of U.S. amendments has done when only three-fourths of all the states are agreed.

Navy

In articles of confederation, the Congress was authorized for building a navy and the states were authorized for equipping the warships in order to counter the piracy while under the U.S. Constitution the Congress is also authorized for building the navy but the states are not allowed for keeping the warships in order to counter the piracy (Knutson, 540).

Army

Under the articles of confederation, congress has to decide the size of the armed forces and the troops are requisitioned according to their population from every state while Congress is authorized for supporting and raising armies.

Power to Coin Money

In the article of confederation, the United States and every state have the power to coin the money while under the U.S. Constitution only the United States have the power to coin the money.

Taxes

Under the Article of Confederation, the taxes were apportioned only by the Congress but they are collected by the states while the scenario is different for the U.S. Constitution. In the constitution, the taxes are collected and laid by Congress. The government has the power to implement taxes on the public.

Ratification

Under the Articles of Confederation, agreed consent was required while in the constitution of U.S. nine states consent are required (Maggs, 397).

# Conclusion

So it is concluded that the main strength of both these constitutions is that it has remained unchanged and successful up to date and serving as the source of regulations and rules for the United States of America. Still, some people believe that such strong constitutions of the U.S. has some critics as well and considered as undemocratic. These constitutions are usually called as undemocratic due to its idea of having indirect elections of president and also the confusing elections of senators. Hence the constitution has replaced the federation articles because the strength of constitution overcome its weakness while articles of confederation are considered to have more weaknesses than its strengths.

Works Cited

Knutson, Katherine. "US government textbook review." *PS: Political Science & Politics* 50.2 (2017): 536-541.

Maggs, Gregory E. "A Concise Guide to the Articles of Confederation as a Source for Determining the Original Meaning of the Constitution." *Geo. Wash. L. Rev.* 85 (2017): 397.