Q82 – What founding document was written in 1787?

DOUGLAS GINSBURG, Federal Judge, U.S. Court of Appeals, D.C. Circuit:
The foundation of our national government is the Constitution – written in 1787. It was the second attempt to draft a document to govern the new nation. The first one failed utterly. That was the Articles of Confederation – ratified in 1781 by the thirteen former colonies. They were still fighting Britain for independence.

For fear of replacing one tyrant with another, the Articles kept the national government weak and the states strong. Congress could do some of the things it does now, but it lacked the power to tax – the power that makes all else possible. It couldn't even pay an army. The states furnished arms and men.
The Articles had other weaknesses: no executive branch to enforce the laws – and no federal courts to interpret them. As a result, the thirteen states acted like independent nations. They printed their own money and erected trade barriers to each other's goods.
In 1787, delegates from across the nation gathered in Philadelphia to amend the Articles, but quickly decided that tinkering was hopeless. They scrapped the Articles and started afresh. With the Articles of Confederation, the Constitution, and addition of the Bill of Rights, it took the founders three tries to get it right: to create a federal government strong enough to protect the nation while preserving the rights of the people.
Although it has been amended a number of times, the Constitution written in 1787 remains the foundation of our republic.