

## Chapter 11

# The Triumphs and Travails of the Jeffersonian Republic

1800–1812

*Timid men . . . prefer the calm of despotism to the boisterous sea of liberty.*

THOMAS JEFFERSON, 1796

*In the critical presidential contest* of 1800, the first in which Federalists and Democratic-Republicans functioned as two national political parties, John Adams and Thomas Jefferson again squared off against each other. The choice seemed clear and dramatic: Adams's Federalists waged a defensive struggle for strong central government and public order. Their Jeffersonian opponents presented themselves as the guardians of agrarian purity, liberty, and states' rights. The next dozen years, however, would turn what seemed like a clear-cut choice in 1800 into a messier reality, as the Jeffersonians in power were confronted with a series of opportunities and crises requiring the assertion of federal authority. As the first challengers to rout a reigning party, the Republicans were the first to learn that it is far easier to condemn from the stump than to govern consistently.

### ★ Federalist and Republican Mudslingers

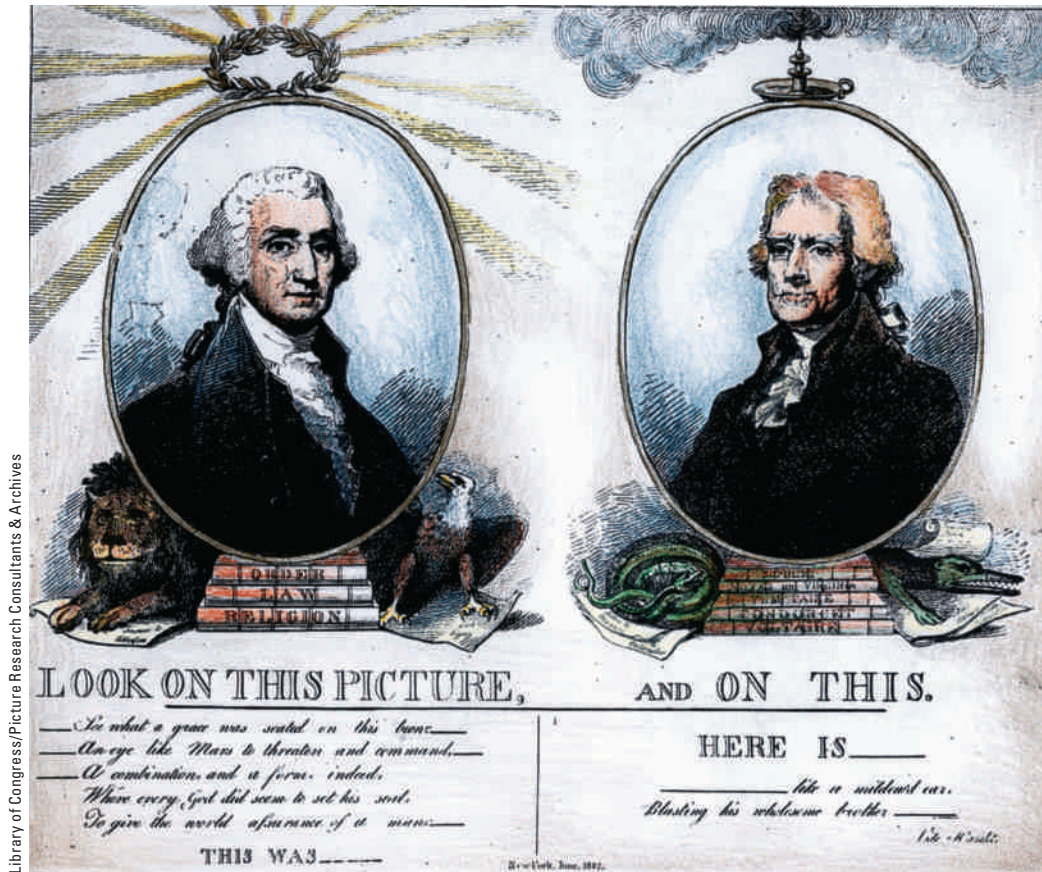
In fighting for survival, the Federalists labored under heavy handicaps. Their Alien and Sedition Acts had aroused a host of enemies, although most of these critics were dyed-in-the-wool Jeffersonians anyhow. The Hamiltonian wing of the Federalist party, robbed of its glorious war with France, split openly with President Adams. Hamilton, a victim of arrogance, was so indiscreet as to attack the president in a privately printed pamphlet. Jeffersonians soon got hold of the pamphlet and gleefully published it.

The most damaging blow to the Federalists was the refusal of Adams to give them a rousing fight with France. Their feverish war preparations had swelled the public debt and had required disagreeable new taxes, including a stamp tax. After all these unpopular measures, the war scare had petered out, and the country was left with an all-dressed-up-but-no-place-to-go feeling. The military preparations now seemed not only unnecessary but also extravagant, as seamen for the “new navy” were called “John Adams’s Jackasses.” Adams himself was known, somewhat ironically, as “the Father of the American Navy.”

Thrown on the defensive, the Federalists concentrated their fire on Jefferson himself, who became the victim of one of America’s earliest “whispering campaigns.” He was accused of having robbed a widow and her children of a trust fund and of having fathered numerous mulatto children by his own slave women. (Jefferson’s long-rumored intimacy with one of his

*The Reverend Timothy Dwight (1752–1817), president of Yale College, predicted that in the event of Jefferson’s election,*

**“the Bible would be cast into a bonfire, our holy worship changed into a dance of [French] Jacobin phrensy, our wives and daughters dishonored, and our sons converted into the disciples of Voltaire and the dragoons of Marat.”**



**Washington and Jefferson Compared, 1807** This pro-Federalist, anti-Jefferson cartoon accuses Jefferson of sympathizing with French Revolutionary despotism.

slaves, Sally Hemings, has been confirmed through DNA testing. See “Examining the Evidence,” p. 205.) As a liberal in religion, Jefferson had earlier incurred the wrath of the orthodox clergy, largely through his successful struggle to separate church and state in his native Virginia. Although Jefferson did believe in God, preachers throughout New England, stronghold of Federalism and Congregationalism, thundered against his alleged atheism. Old ladies of Federalist families, fearing Jefferson’s election, even buried their Bibles or hung them in wells.

### ★ The Jeffersonian “Revolution of 1800”

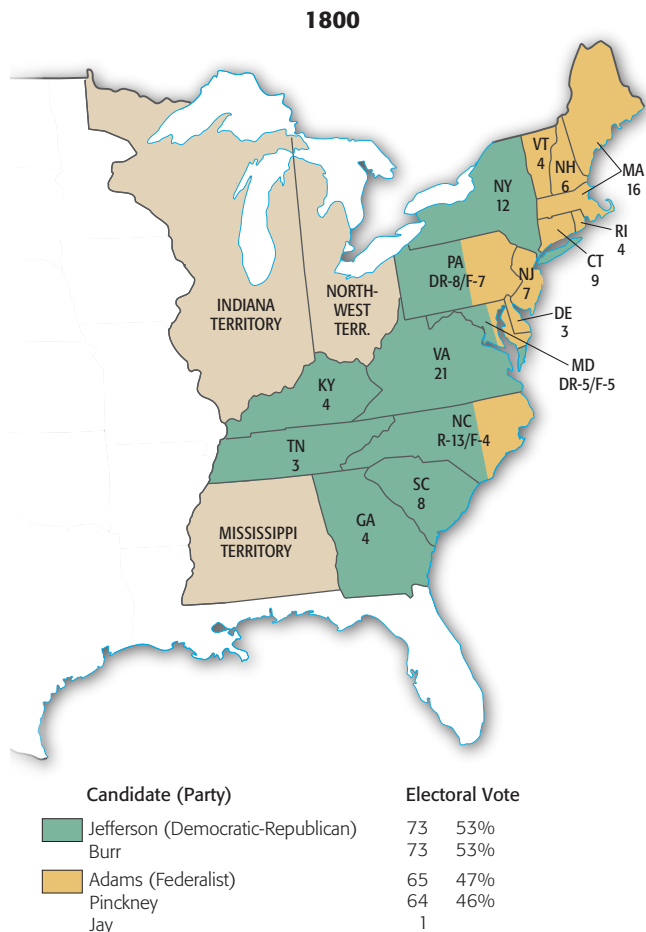
Jefferson won by a majority of 73 electoral votes to 65 (see Map 11.1). In defeat, the colorless and presumably unpopular Adams polled more electoral strength than he had gained four years earlier—except for New York. The Empire State fell into the Jeffersonian basket, and with it the election, largely because Aaron Burr, a master wire-puller, turned New York to Jefferson by the narrowest of margins. The Virginian polled the bulk of his strength in the South and West, particularly in

those states where universal white manhood suffrage had been adopted.

Decisive in Jefferson’s victory was the three-fifths clause of the Constitution. By counting three-fifths of the slave population for the purposes of congressional and Electoral College representation, the Constitution gave white southern voters a bonus that helped Jefferson win the White House. Northern critics fumed that Jefferson was a “Negro President” and an illegitimate embodiment of the “slave power” that the southern states wielded in the nation.

Jeffersonian joy was dampened by an unexpected deadlock. Through a technicality Jefferson, the presidential candidate, and Burr, his vice-presidential running mate, received the same number of electoral votes for the presidency. Under the Constitution the tie could be broken only by the House of Representatives (see Art. II, Sec. I, para. 2). This body was controlled for several more months by the lame-duck Federalists, who preferred Burr to the hated Jefferson.\* Voting in the

\*A “lame duck” has been humorously defined as a politician whose political goose has been cooked in the recent elections. The possibility of another such tie was removed by the Twelfth Amendment in 1804 (see the Appendix). Before then, each elector had two votes, with the second-place finisher becoming vice president.



**MAP 11.1 Presidential Election of 1800 (with electoral vote by state)** New York was the key state in this election, and Aaron Burr helped swing it away from the Federalists with tactics that anticipated the political “machines” of a later day. Federalists complained that Burr “travels every night from one meeting of Republicans to another, haranguing . . . them to the most zealous exertions. [He] can stoop so low as to visit every low tavern that may happen to be crowded with his dear fellow citizens.” But Burr proved that the price was worth it. “We have beat you,” Burr told kid-gloved Federalists after the election, “by superior *Management*.” © Cengage Learning

House moved slowly to a climax, as exhausted representatives snored in their seats. The agonizing deadlock was broken at last when a few Federalists, despairing of electing Burr and hoping for moderation from Jefferson, refrained from voting. The election then went to the rightful candidate.

John Adams, as fate would have it, was the last Federalist president of the United States. His party sank slowly into political oblivion and ultimately disappeared completely in the days of Andrew Jackson.

Jefferson later claimed that the election of 1800 was a “revolution” comparable to that of 1776, and

*A Philadelphia woman wrote her sister-in-law about the pride she felt on the occasion of Thomas Jefferson’s inauguration as third president of the United States in 1801:*

“I have this morning witnessed one of the most interesting scenes a free people can ever witness. The changes of administration, which in every government and in every age have most generally been epochs of confusion, villainy and bloodshed, in this our happy country take place without any species of distraction, or disorder.”

historians have sometimes referred to the **Revolution of 1800**. But the election was no revolution in the sense of a massive popular upheaval or an upending of the political system. In truth, Jefferson had narrowly squeaked through to victory. A switch of some 250 votes in New York would have thrown the election to Adams. Jefferson meant that his election represented a return to what he considered the original spirit of the Revolution. In his eyes Hamilton and Adams had betrayed the ideals of 1776 and 1787. Jefferson’s mission, as he saw it, was to restore the republican experiment, to check the growth of government power, and to halt the decay of virtue that had set in under Federalist rule.

No less “revolutionary” was the peaceful and orderly transfer of power on the basis of an election whose results all parties accepted. This was a remarkable achievement for a raw young nation, especially after all the partisan bitterness that had agitated the country during Adams’s presidency. It was particularly remarkable in that age; comparable successions would not take place in Britain for another generation. After a decade of division and doubt, Americans could take justifiable pride in the vigor of their experiment in democracy.

## ★ Responsibility Breeds Moderation

“Long Tom” Jefferson was inaugurated president on March 4, 1801, in the swampy village of Washington, the crude new national capital. Tall (six feet two and a half inches), with large hands and feet, red hair (“the Red Fox”), and prominent cheekbones and chin, he was an arresting figure. Having spent five years as U.S. minister to France (1784–1789), he was fluent in French and a sophisticated, cosmopolitan “citizen of the world,” yet he never lost the common touch. Believing that the



## Examining the Evidence

### The Thomas Jefferson–Sally Hemings Controversy

**D**ebate over whether Thomas Jefferson had sexual relations with Sally Hemings, a slave at Monticello, began as early as 1802, when James Callender published the first accusations and Federalist newspapers gleefully broadcast them throughout the country. Two years later this print, titled “A Philosophic Cock,” attacked Jefferson by depicting him as a rooster and Hemings as a hen. The rooster, or cock, was also a symbol of Revolutionary France. Jefferson’s enemies sought to discredit him for personal indiscretions as well as radical sympathies. Although he resolutely denied having an affair with Hemings, the

charge that at first seemed to be only a politically motivated defamation refused to go away. In the 1870s two new oral sources of evidence came to light. Madison Hemings, Sally’s next-to-last child, claimed that his mother had identified Jefferson as the father of all five of her children. Soon thereafter James Parton’s biography of Jefferson revealed that among Jefferson’s white descendants, it was said that his nephew had fathered all or most of Sally’s children. In the 1950s several large publishing projects on Jefferson’s life and writings uncovered new evidence and inspired renewed debate. Most convincing

was Dumas Malone’s calculation that Jefferson had been present at Monticello nine months prior to the birth of each of Sally’s children. Speculation continued throughout the rest of the century, with little new evidence, until scientific advances made possible DNA testing of the remains of Jefferson’s white and possible black descendants to determine paternity. Two centuries after Callender first cast aspersions on Jefferson’s morality, cutting-edge science helped establish the high probability that Jefferson had fathered Sally’s youngest son and the likelihood that he was the father of all of her children.



Courtesy, American Antiquarian Society

customary pomp did not befit his democratic ideals, he spurned a horse-drawn coach and strode by foot to the Capitol from his boardinghouse.

Jefferson's inaugural address, beautifully phrased, was a classic statement of democratic principles. "The will of the majority is in all cases to prevail," Jefferson declared. But, he added, "that will to be rightful must be reasonable; the minority possess their equal rights, which equal law must protect, and to violate would be oppression." Seeking to allay Federalist fears of a bull-in-the-china-closet overturn, Jefferson ingratiatingly intoned, "We are all Republicans, we are all Federalists." As for foreign affairs, he pledged "honest friendship with all nations, entangling alliances with none."

With its rustic setting, Washington lent itself admirably to the simplicity and frugality of the Jeffersonian Republicans. In this respect it contrasted sharply with the elegant atmosphere of Federalist Philadelphia, the former temporary capital. Extending democratic principles to etiquette, Jefferson established the rule of pell-mell at official dinners—that is, seating without regard to rank. The resplendent British minister, who had enjoyed precedence among the pro-British Federalists, was insulted.

As president, Jefferson could be shockingly unconventional. He would receive callers in sloppy attire—once in a dressing gown and heel-less slippers. He started the precedent, unbroken until Woodrow Wilson's presi-



Litchfield Historical Society

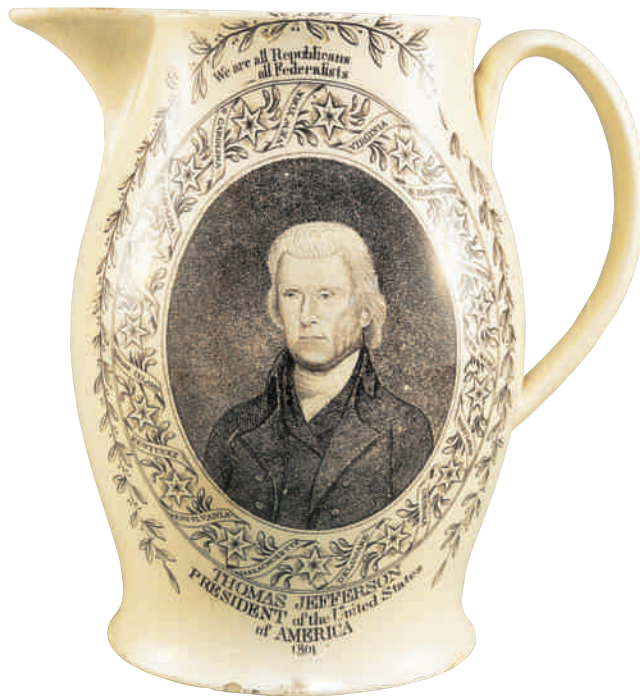


Litchfield Historical Society

**Mrs. Benjamin Tallmadge and Son Henry Floyd and Daughter Maria Jones; Colonel Benjamin Tallmadge and Son William Tallmadge, by Ralph Earl, 1790**

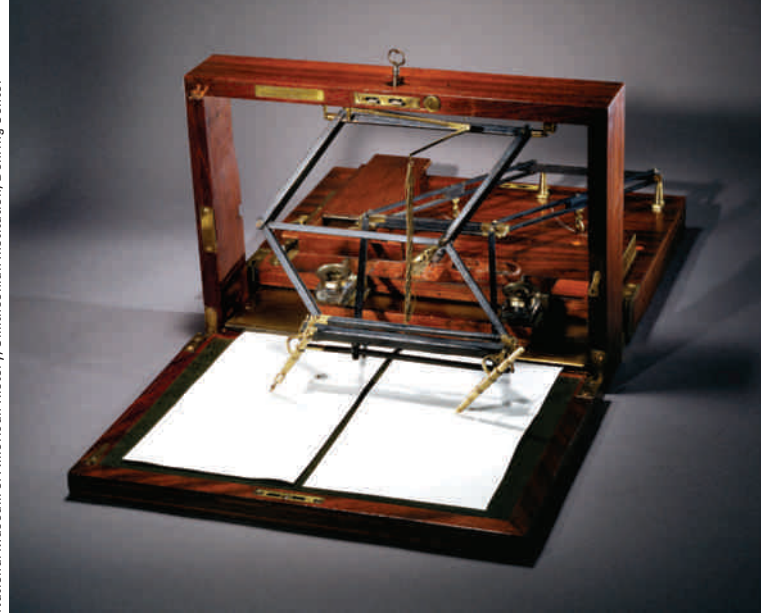
The Tallmadges were among the leading citizens of Litchfield, a Federalist stronghold in the heavily Federalist state of Connecticut. Colonel Benjamin Tallmadge served with distinction in the Revolutionary War, became a wealthy merchant and banker, and represented his state in Congress from 1801 to 1817. Mary Floyd Tallmadge, like her husband, came from a prominent Long Island family. The opulence of the Tallmadges' clothing and surroundings in these paintings abundantly testifies to the wealth, and the social pretensions, of the Federalist elite. Note the toy carriage near the feet of the Tallmadge daughter—a replica of the actual, and elegant, carriage owned by the Tallmadge family.





**Jefferson Inaugural Pitcher, 1801** This memento from the election of 1800 immortalized President Thomas Jefferson's words, "We are all Republicans, we are all Federalists," which turned out to be more hopeful than true. Jefferson was portrayed in the plain attire he favored, shunning the sartorial pretensions affected by many Federalists, such as the elegantly dressed Tallmadges shown on p. 206. Collection of Janice L. and David J. Frent

National Museum of American History, Smithsonian Institution, Behring Center



**Thomas Jefferson's Polygraph, 1806** Jefferson's study reflected his fondness for ideas and inventions. One of his favorite devices was this polygraph, which Jefferson used to make copies of the letters he penned. It was patented in London in 1803. Jefferson acquired one the following year. "From sun-rise to one or two o'clock," he noted, "I am drudging at the writing table." Jefferson wrote almost 20,000 letters in his lifetime. He told John Adams that he suffered "under the persecution of letters," calculating that he received 1,267 letters in the year 1820, "many of them requiring answers of elaborate research, and all to be answered with due attention and consideration." The polygraph allowed him to keep duplicates of his letters, which he tied into bundles organized alphabetically and chronologically. Jefferson was thereby able to locate any given letter and even send for a particular one when he was away from his Monticello home.

dency 112 years later, of sending messages to Congress to be read by a clerk. Personal appearances, in the Federalist manner, suggested too strongly a monarchical speech from the throne. Besides, Jefferson was painfully conscious of his weak voice and unimpressive platform presence.

As if compelled by an evil twin, Jefferson was forced to reverse many of the political principles he had so vigorously championed. There were in fact two Thomas Jeffersons. One was the scholarly private citizen, who philosophized in his study. The other was the

harassed public official, who made the disturbing discovery that bookish theories worked out differently in the noisy arena of practical politics. The open-minded Virginian was therefore consistently inconsistent; it is easy to quote one Jefferson to refute the other.

The triumph of Thomas Jefferson's Democratic-Republicans and the eviction of the Federalists marked the first party overturn in American history. The vanquished naturally feared that the victors would grab all the spoils of office for themselves. But Jefferson, in keeping with his conciliatory inaugural address, showed unexpected moderation. To the dismay of his office-seeking friends, the new president dismissed few public servants for political reasons. **Patronage-hungry** Jeffersonians watched the Federalist appointees grow old in office and grumbled that "few die, none resign."

Jefferson quickly proved an able politician. He was especially effective in the informal atmosphere of a dinner party. There he wooed congressional representatives while personally pouring imported wines and serving the tasty dishes of his French cook. In part

*President John F. Kennedy (1917–1963) once greeted a large group of Nobel Prize winners as*

*"the most extraordinary collection of talent, of human knowledge, that has ever been gathered together at the White House, with the possible exception of when Thomas Jefferson dined alone."*

*The toleration of Thomas Jefferson (1743–1826) was reflected in his inaugural address:*

“If there be any among us who would wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it.”

Jefferson had to rely on his personal charm because his party was so weak-jointed. Denied the power to dispense patronage, the Democratic-Republicans could not build a loyal political following. Opposition to the Federalists was the chief glue holding them together, and as the Federalists faded, so did Democratic-Republican unity. The era of well-developed, well-disciplined political parties still lay in the future.

## ★ Jeffersonian Restraint

At the outset Jefferson was determined to undo the Federalist abuses begotten by the anti-French hysteria. The hated Alien and Sedition Acts had already expired. The incoming president speedily pardoned the “martyrs” who were serving sentences under the Sedition Act, and the government remitted many fines. Shortly after the Congress met, the Jeffersonians enacted the new naturalization law of 1802. This act reduced the unreasonable requirement of fourteen years of residence to the previous and more reasonable requirement of five years.

Jefferson actually kicked away only one substantial prop of the Hamiltonian system. He hated the excise tax, which bred bureaucrats and bore heavily on his farmer following, and he early persuaded Congress to repeal it. His devotion to principle thus cost the federal government about a million dollars a year in urgently needed revenue.

Swiss-born and French-accented Albert Gallatin, “Watchdog of the Treasury,” proved to be as able a secretary of the Treasury as Hamilton. Gallatin agreed with Jefferson that a national debt was a bane rather than a blessing and by strict economy succeeded in reducing it substantially while balancing the budget.

Except for excising the excise tax, the Jeffersonians left the Hamiltonian framework essentially intact. They did not tamper with the Federalist programs for funding the national debt at par and assuming the Revolutionary War debts of the states. They launched no attack on the Bank of the United States, nor did they repeal the mildly protective Federalist tariff. In later years they embraced Federalism to such a degree as to

recharter a bigger bank and to boost the protective tariff to higher levels.

Paradoxically, Jefferson’s moderation thus further cemented the gains of the “Revolution of 1800.” By shrewdly absorbing the major Federalist programs, Jefferson showed that a change of regime need not be disastrous for the defeated group. His restraint pointed the way toward the two-party system that was later to become a characteristic feature of American politics.

## ★ The “Dead Clutch” of the Judiciary

The “deathbed” **Judiciary Act of 1801** was one of the last important laws passed by the expiring Federalist Congress. It created sixteen new federal judgeships and other judicial offices. President Adams remained at his desk until nine o’clock in the evening of his last day in office, supposedly signing the commissions of the Federalist “**midnight judges**.” (Actually only three commissions were signed on his last day.)

This Federalist-sponsored Judiciary Act, though a long-overdue reform, aroused bitter resentment. “Packing” these lifetime posts with anti-Jeffersonian partisans was, in Republican eyes, a brazen attempt by the ousted party to entrench itself in one of the three powerful branches of government. Jeffersonians condemned the last-minute appointees in violent language, denouncing the trickery of the Federalists as open defiance of the people’s will, expressed emphatically at the polls.

The newly elected Republican Congress bestirred itself to repeal the Judiciary Act of 1801 the year after its passage. Jeffersonians thus swept sixteen benches from under the recently seated “midnight judges.” Jeffersonians likewise had their knives sharpened for the scalp of Chief Justice John Marshall, whom Adams had appointed to the Supreme Court (as a fourth choice) in the dying days of his term. The strong-willed Marshall, with his rasping voice and steel-trap mind, was a cousin of Thomas Jefferson. Marshall’s formal legal schooling had lasted only six weeks, but he dominated the Supreme Court with his powerful intellect and commanding personality. He shaped the American legal tradition more profoundly than any other single figure.

Marshall had served at Valley Forge during the Revolution. While suffering there from cold and hunger, he had been painfully impressed with the drawbacks of feeble central authority. The experience made him a lifelong Federalist, committed above all else to strengthening the power of the federal government. States’ rights Jeffersonians condemned the crafty judge’s “twistifications,” but Marshall pushed ahead inflexibly on his Federalist course. He served for about thirty days under a Federalist administration and thirty-four years

under the administrations of Jefferson and subsequent presidents. The Federalist party died out, but Marshall lived on, handing down Federalist decisions serenely for many more years. For over three decades, the ghost of Alexander Hamilton spoke through the lanky, black-robed judge.

One of the “midnight judges” of 1801 presented John Marshall with a historic opportunity. He was obscure William Marbury, whom President Adams had named a justice of the peace for the District of Columbia. When Marbury learned that his commission was being shelved by the new secretary of state, James Madison, he sued for its delivery. Chief Justice Marshall knew that his Jeffersonian rivals, entrenched in the executive branch, would hardly spring forward to enforce a writ to deliver the commission to his fellow



John Marshall by Fevret de Saint-Memin, 1801 Duke University Archives

### John Marshall on Assuming the Chief Justiceship, 1801

Depicted here as a young man, Marshall was destined to serve on the Supreme Court for thirty-four years and deeply molded constitutional law. Born in a log cabin on the Virginia frontier, he attended law lectures for just a few weeks at the College of William and Mary—his only formal education. Yet Marshall would go on to prove himself a brilliant chief justice. One admiring lawyer wrote of him, “His black eyes . . . possess an irradiating spirit, which proclaims the imperial powers of the mind that sits enthroned therein.”

*In his decision in **Marbury v. Madison**, Chief Justice John Marshall (1755–1835) vigorously asserted his view that the Constitution embodied a “higher” law than ordinary legislation and that the Court must interpret the Constitution:*

“The Constitution is either a superior paramount law, unchangeable by ordinary means, or it is on a level with ordinary legislative acts, and like other acts, is alterable when the legislature shall please to alter it.

“If the former part of the alternative be true, then a legislative act contrary to the constitution is not law; if the latter part be true, then written constitutions are absurd attempts, on the part of the people, to limit a power in its own nature illimitable. . . .

“It is emphatically the province and duty of the judicial department to say what the law is. . . .

“If, then, the courts are to regard the Constitution, and the Constitution is superior to any ordinary act of the legislature, the Constitution, and not such ordinary act, must govern the case to which they are both applicable.”

Federalist Marbury. He therefore dismissed Marbury’s suit, avoiding a direct political showdown. But the wily Marshall snatched a victory from the jaws of this judicial defeat. In explaining his ruling, Marshall said that the part of the Judiciary Act of 1789 on which Marbury tried to base his appeal was unconstitutional. The act had attempted to assign to the Supreme Court powers that the Constitution had not foreseen.

In this self-denying opinion, Marshall greatly magnified the authority of the Court—and slapped at the Jeffersonians. Until the case of **Marbury v. Madison** (1803), controversy had clouded the question of who had the final authority to determine the meaning of the Constitution. Jefferson in the Kentucky resolutions (1798) had tried to allot that right to the individual states. But now his cousin on the Court had cleverly promoted the contrary principle of “judicial review”—the idea that the Supreme Court alone had the last word on the question of constitutionality. In this landmark case, Marshall inserted the keystone into the arch that supports the tremendous power of the Supreme Court in American life.\*

\*The next invalidation of a federal law by the Supreme Court came fifty-four years later, with the explosive *Dred Scott* decision (see pp. 403–404).



Marshall's decision regarding Marbury spurred the Jeffersonians to seek revenge. Jefferson urged the impeachment of an arrogant and tart-tongued Supreme Court justice, Samuel Chase, who was so unpopular that Republicans named vicious dogs after him. Early in 1804 impeachment charges against Chase were voted by the House of Representatives, which then passed the question of guilt or innocence on to the Senate. The indictment by the House was based on "high crimes, and misdemeanors," as specified in the Constitution.\*

Yet the evidence was plain that the intemperate judge had not been guilty of "high crimes," but only of unrestrained partisanship and a big mouth. The Senate failed to muster enough votes to convict and remove Chase. The precedent thus established was fortunate. From that day to this, no really serious attempt has been made to reshape the Supreme Court by the impeachment weapon. Jefferson's ill-advised attempt at "judge breaking" was a reassuring victory for the independence of the judiciary and for the separation of powers among the three branches of the federal government.

## ★ Jefferson, a Reluctant Warrior

One of Jefferson's first actions as president was to reduce the military establishment to a mere police force of twenty-five hundred officers and men. Critics called it penny-pinching, but Jefferson's reluctance to invest in soldiers and ships was less about money than about republican ideals. Among his fondest hopes for America was that it might transcend the bloody wars and entangling alliances of Europe. The United States would set an example for the world, forswearing military force and winning friends through "peaceful coercion." Also, the Republicans distrusted large standing armies as standing invitations to dictatorship. Navies were less to be feared, as they could not march inland and endanger liberties. Still, the farm-loving Jeffersonians saw little point in building a fleet that might only embroil the Republic in costly and corrupting wars far from America's shores.

But harsh realities forced Jefferson's principles to bend. Pirates of the North African Barbary States (see Map 11.2) had long made a national industry of blackmailing and plundering merchant ships that ventured into the Mediterranean. Preceding Federalist administrations, in fact, had been forced to buy protection. At the time of the French crisis of 1798, when Americans

were shouting, "Millions for defense but not one cent for tribute," twenty-six barrels of blackmail dollars were being shipped to piratical Algiers.

War across the Atlantic was not part of the Jeffersonian vision—but neither was paying tribute to a pack of pirate states. The showdown came in 1801. The pasha of Tripoli, dissatisfied with his share of protection money, informally declared war on the United States by cutting down the flagstaff of the American consulate. A gauntlet was thus thrown squarely into the face of Jefferson—the noninterventionist, the pacifist, the critic of a big-ship navy, and the political foe of Federalist shippers. He reluctantly rose to the challenge by dispatching the infant navy to the "shores of Tripoli," as related in the song of the U.S. Marine Corps. After four years of intermittent fighting, marked by spine-tingling exploits, Jefferson succeeded in extorting a treaty of peace from Tripoli in 1805. It was secured at the bargain price of only \$60,000—a sum representing ransom payments for captured Americans.

Small gunboats, which the navy had used with some success in the **Tripolitan War**, fascinated Jefferson. Pledged to tax reduction, he advocated a large number of little coastal craft—"Jefferies" or the "mosquito fleet," as they were contemptuously called. He believed these fast but frail vessels would prove valuable in guarding American shores and need not embroil the Republic in diplomatic incidents on the high seas.

About two hundred tiny gunboats were constructed, democratically in small shipyards where votes could be made for Jefferson. Often mounting only one unwieldy gun, they were sometimes more of a menace to the crew than to the prospective enemy. During a hurricane and tidal wave at Savannah, Georgia, one of them was deposited eight miles inland in a cornfield, to the derisive glee of the Federalists. They drank toasts to American gunboats as the best in the world—on land.

## ★ The Louisiana Godsend

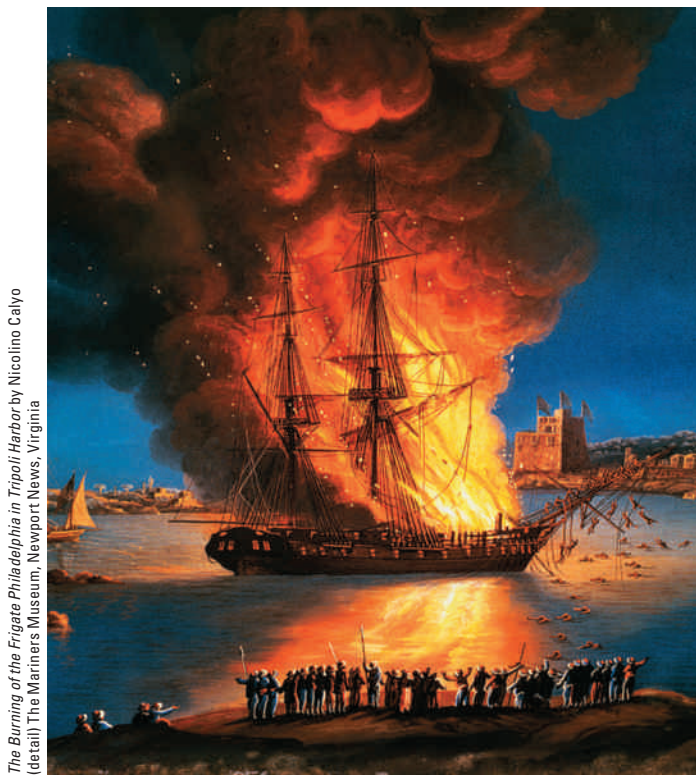
A secret pact, fraught with peril for America, was signed in 1800. Napoleon Bonaparte induced the king of Spain to cede to France, for attractive considerations, the immense trans-Mississippi region of Louisiana, which included the New Orleans area.

Rumors of the transfer were partially confirmed in 1802, when the Spaniards at New Orleans withdrew the right of deposit guaranteed America by Pinckney's Treaty of 1795 (see p. 193). Deposit (warehouse) privileges were vital to frontier farmers who floated their produce down the Mississippi to its mouth, there to await oceangoing vessels. A roar of anger rolled up the mighty river and into its tributary valleys. American pioneers talked wildly of descending upon New

\*For impeachment, see Art. I, Sec. II, para. 5; Art. I, Sec. III, paras. 6, 7; Art. II, Sec. IV in the Appendix.



**MAP 11.2 The Barbary States of North Africa and the Burning of the Frigate *Philadelphia*, 1804** The Tripolitan pirates had captured the U.S. ship *Philadelphia* (see p. 195) and were preparing to use it against the Americans. In a daring exploit that ensured his lasting fame, twenty-four-year-old U.S. naval officer Stephen Decatur slipped into the harbor of Tripoli and burned the frigate to the waterline, denying it to the pirates. © Cengage Learning



*The Burning of the Frigate Philadelphia in Tripoli Harbor by Nicolino Calvo (detail) The Mariners Museum, Newport News, Virginia*

Orleans, rifles in hand. Had they done so, the nation probably would have been engulfed in war with both Spain and France.

Thomas Jefferson, both pacifist and anti-entanglement, was again on the griddle. Louisiana in the senile grip of Spain posed no real threat; America could seize the territory when the time was ripe. But Louisiana in the iron fist of Napoleon, the preeminent military genius of his age, foreshadowed a dark and blood-drenched future. The United States would probably have to fight to dislodge him; and because it alone was not strong enough to defeat his armies, it would have

to seek allies, contrary to the deepening anti-alliance policy.

Hoping to quiet the clamor of the West, Jefferson moved decisively. Early in 1803 he sent James Monroe to Paris to join forces with the regular minister there, Robert R. Livingston. The two envoys were instructed to buy New Orleans and as much land to its east as they could get for a maximum of \$10 million. If these proposals should fail and the situation became critical, negotiations were to be opened with Britain for an alliance. "The day that France takes possession of New Orleans," Jefferson wrote, "we must marry ourselves to the British fleet and nation." That remark dramatically demonstrated Jefferson's dilemma. Though a passionate hater of war and an enemy of entangling alliances, he was proposing to make an alliance with his old foe, Britain, against his old friend, France, in order to secure New Orleans.

At this critical juncture, Napoleon suddenly decided to sell all of Louisiana and abandon his dream of a New World empire. Two developments prompted his change of mind. First, he had failed in his efforts to reconquer the sugar-rich island of Santo Domingo (Haiti), for which Louisiana was to serve as a source of foodstuffs. Rebellious enslaved Africans, inspired by the French Revolution's promises of equality, and ably led by the gifted Toussaint L'Ouverture ("The Opener"), had struck for their freedom in 1791. Their revolt was ultimately broken. But then the island's second line of defense—mosquitoes carrying yellow fever—had swept away thousands of crack French troops. After the **Haitian Revolution**, Santo Domingo could not be had, except perhaps at a staggering cost; hence there was no need for Louisiana's food supplies. "Damn sugar, damn coffee, damn colonies!" burst out Napoleon. Second, Bonaparte was about to end the twenty-month





The Granger Collection, New York

**Toussaint L'Ouverture (ca. 1743–1803)** A self-educated ex-slave and military genius, L'Ouverture was finally betrayed by the French, who imprisoned him in a chilly dungeon in France, where he coughed his life away. Indirectly, he did much to set up the sale of Louisiana to the United States. His slave rebellion in Haiti also (briefly) established the first black government in the New World, striking fear into the hearts of slaveowners throughout the Western Hemisphere.

lull in his deadly conflict with Britain. Because the British controlled the seas, he feared that he might be forced to make them a gift of Louisiana. Rather than drive America into the arms of Britain by attempting to hold the area, he decided to sell the huge wilderness to the Americans and pocket the money for his schemes nearer home. Napoleon hoped that the United States, strengthened by Louisiana, would one day be a military and naval power that would thwart the ambitions of the lordly British in the New World. The predicaments of France in Europe were again paving the way for America's diplomatic successes.

Events now unrolled dizzily. The American minister, Robert Livingston, pending the arrival of Monroe, was busily negotiating in Paris for a window on the Gulf of Mexico at New Orleans. Suddenly, out of a clear sky, the French foreign minister asked him how much he would give for all of Louisiana. Scarcely able to believe his ears (he was partially deaf anyhow), Livingston nervously entered upon the negotiations. After about a week of haggling, while the fate of North America trembled in the balance, treaties were signed on April 30, 1803, ceding Louisiana to the United States for about \$15 million.

When news of the bargain reached America, Jefferson was startled. He had authorized his envoys to offer not more than \$10 million for New Orleans and as much to the east in the Floridas as they could get. Instead they had signed three treaties that pledged \$15 million for New Orleans, plus an immeasurable tract entirely to the west—an area that would more than double the size of the United States. They had bought a wilderness to get a city.

Once again the two Jeffersons wrestled with each other: the theorist and former strict constructionist versus the democratic visionary. Where in his beloved Constitution was the president authorized to negotiate treaties incorporating a huge new expanse into the union—an expanse containing tens of thousands of Indian, French, Spanish, and black inhabitants? There was no such clause. Yet Jefferson also perceived that the vast domain now within his reach could form a sprawling “empire of liberty” that would ensure the health and long life of America's experiment in democracy.

Conscience-stricken, Jefferson privately proposed that a constitutional amendment be passed. But his friends pointed out in alarm that in the interval Napoleon, for whom thought was action, might suddenly withdraw the offer. So Jefferson shamefacedly submitted the treaties to the Senate, while admitting to his associates that the purchase was unconstitutional.

*In accepting the Louisiana Purchase, Jefferson thus compromised with conscience in a private letter:*

**“It is the case of a guardian, investing the money of his ward in purchasing an important adjacent territory; and saying to him when of age, I did this for your good; I pretend to no right to bind you; you may disavow me, and I must get out of the scrape as I can; I thought it my duty to risk myself for you.”**

The senators were less finicky than Jefferson. Reflecting enthusiastic public support, they registered their prompt approval of the transaction. Land-hungry Americans were not disposed to split constitutional hairs when confronted with perhaps the most magnificent real estate bargain in history—828,000 square miles at about three cents an acre.

## ★ Louisiana in the Long View

Jefferson's bargain with Napoleon was epochal. Overnight he had avoided a possible rupture with France and the consequent entangling alliance with England. With the **Louisiana Purchase**, America secured at one bloodless stroke the western half of the richest river valley in the world and further laid the foundations of a future major power. The ideal of a great agrarian republic, as envisioned by Jefferson, could now be realized in the vast "Valley of Democracy." At the same time, the transfer established valuable precedents for future expansion: the acquisition of foreign territory and peoples by purchase and their incorporation into the Union not as vassal states but on a basis of equal membership. This was imperialism with a new and democratic face, as French Louisianans learned when the Washington government agreed to accept their legal code based on French civil law, rather than English common law. To this day Louisiana state law, uniquely in the American system, retains vestiges of its French origins. Indian peoples within the purchase area would not prove so fortunate.

The purchase also contributed to making operational the isolationist principles of Washington's Farewell Address. Avoiding entangling alliances had been only an ideal to be pursued, rather than a realistic policy, so long as America had potentially hostile and powerful neighbors. By removing virtually the last remnant of significant European power from the North American continent, the United States was now at liberty to disengage almost entirely from the ancient system of Old World rivalries.

The enormous extent of the new area was more fully unveiled by a series of explorations under Jefferson's direction. In the spring of 1804, Jefferson sent his personal secretary, Meriwether Lewis, and a young army officer named William Clark to explore the northern part of the Louisiana Purchase. Lewis and Clark's **Corps of Discovery** ascended the "Great Muddy" (Missouri River) from St. Louis and spent the winter of 1804–1805 with the Mandan Indians in present-day North Dakota. Then, aided by the Shoshone woman Sacajawea, the thirty-three adventurers (one had died from illness in Iowa, the group's only casualty)



© Collection of the New York Historical Society

**Meriwether Lewis** Lewis is portrayed in this painting as he looked on his return from the great expedition through the Louisiana Purchase and the West.

struggled across the northern prairies and through the Rockies, finally descending the Columbia River to the Pacific coast.

Lewis and Clark's two-and-one-half-year expedition yielded a rich harvest of scientific observations, maps, knowledge of the Indians in the region, and hair-raising wilderness adventure stories. On the Great Plains, they marveled at the "immense herds of buffalo, elk, deer, and antelope feeding in one common and boundless pasture." Lewis was lucky to come back alive. When he and three other men left the expedition to explore the Marias River in present-day western Montana, a band of teenage Blackfoot Indians, armed with crude muskets by British fur-traders operating out of Canada, stole their horses. Lewis foolishly pursued the horse thieves on foot. He shot one marauder through





**Chinook Indians, ca. 1805** William Clark served as the artist and cartographer of the Lewis and Clark expedition. Here he sketched the skull-molding practice that inspired Lewis and Clark to call these Indians “Flatheads.” These people were distinct from the present-day Flathead Indians of Montana, who got their name from the French.

the belly, but the Indian returned the fire. “Being bare-headed,” Lewis later wrote, “I felt the wind of his bullet very distinctly.” After killing another Blackfoot and hanging one of the expedition’s “peace and friendship” medals around the dead man’s neck as a warning to other Indians, Lewis and his terrified companions beat it out of the Marias country to rejoin the main party on the Missouri River.

The explorers also demonstrated the viability of an overland trail to the Pacific. Down the dusty track thousands of missionaries, fur-traders, and pioneering settlers would wend their way in the ensuing decades, bolstering America’s claim to the Oregon Country. Other explorers also pushed into the uncharted West.



**Gifts from the Great White Chief** Among the objectives of the Lewis and Clark expedition was to establish good relations with the Indians in the newly acquired Louisiana Purchase. The American explorers presented all chiefs with copies of these medals, showing President Jefferson on one side and the hands of an Indian and a white man clasped in “peace and friendship” under a crossed “peace pipe” and hatchet on the other. All chiefs also received an American flag and a military uniform jacket, hat, and feather. Courtesy, The American Numismatic Society

Zebulon M. Pike trekked to the headwaters of the Mississippi River in 1805–1806. The next year Pike ventured into the southern portion of Louisiana Territory, where he sighted the Colorado peak that bears his name.

## ★ The Aaron Burr Conspiracies

In the long run, the Louisiana Purchase greatly expanded the fortunes of the United States and the power of the federal government. In the short term, the vast expanse of territory and the feeble reach of the government obliged to control it raised fears of secession and foreign intrigue (see Map 11.3).

Aaron Burr, Jefferson’s first-term vice president, played no small part in provoking—and justifying—such fears. Dropped from the cabinet in Jefferson’s second term, Burr joined with a group of Federalist extremists to plot the secession of New England and New York. Alexander Hamilton, though no friend of Jefferson, exposed and foiled the conspiracy. Incensed, Burr challenged Hamilton to a duel. Hamilton deplored the practice of dueling, by that date illegal in several states, but felt his honor was at stake. He met Burr’s challenge at the appointed hour but refused to fire. Burr killed Hamilton with one shot. Burr’s pistol blew the brightest brain out of the Federalist party and destroyed its one remaining hope of effective leadership.

His political career as dead as Hamilton’s, Burr turned his disunionist plottings to the trans-Mississippi



**MAP 11.3 Exploring the Louisiana Purchase and the West** Seeking to avert friction with France by purchasing all of Louisiana, Jefferson bought trouble because of the vagueness of the boundaries. Among the disputants were Spain in the Floridas, Spain and Mexico in the Southwest, and Great Britain in Canada. © Cengage Learning

West. There he struck up an allegiance with General James Wilkinson, the unscrupulous military governor of Louisiana Territory and a sometime secret agent in the pay of the Spanish crown. Burr's schemes are still shrouded in mystery, but he and Wilkinson apparently planned to separate the western part of the United States from the East and expand their new confederacy with invasions of Spanish-controlled Mexico and Florida. In the fall of 1806, Burr and sixty followers floated in flatboats down the Mississippi River to meet Wilkinson's army at Natchez. But when the general learned that Jefferson had gotten wind of the plot, he betrayed Burr and fled to New Orleans.

Burr was arrested and tried for treason. In what seemed to the Jeffersonians to be bias in favor of the accused, Chief Justice John Marshall, strictly hewing to the Constitution, insisted that a guilty verdict required proof of overt acts of treason, not merely treasonous intentions (see Art. III, Sec. III). Burr was acquitted and fled to Europe, where he urged Napoleon to make peace with Britain and launch a joint invasion of America. Burr's insurrectionary brashness demonstrated that it was one thing for the United States to purchase large expanses of western territory but quite another for it to govern them effectively.

## ★ A Precarious Neutrality

Jefferson was triumphantly reelected in 1804, with 162 electoral votes to only 14 votes for his Federalist opponent. But the laurels of Jefferson's first administration soon withered under the blasts of the new storm that broke in Europe. After unloading Louisiana in 1803, Napoleon deliberately provoked a renewal of his war with Britain—an awesome conflict that raged on for eleven long years.

For the first two years of war a maritime United States—the number one neutral carrier since 1793—enjoyed juicy commercial pickings. But a setback came in 1805. At the Battle of Trafalgar, one-eyed Horatio Lord Nelson achieved immortality by smashing the combined French and Spanish fleets off the coast of Spain, thereby ensuring Britain's supremacy on the seas. At the Battle of Austerlitz in Austria—the Battle of the Three Emperors—Napoleon crushed the combined Austrian and Russian armies, thereby ensuring his mastery of the land. Like the tiger and the shark, France and Britain now reigned supreme in their chosen elements.

Unable to hurt each other directly, the two antagonists were forced to strike indirect blows. Britain ruled



the waves and waived the rules. The London government, beginning in 1806, issued a series of **Orders in Council**. These edicts closed the European ports under French control to foreign shipping, including American, unless the vessels first stopped at a British port. Napoleon struck back, ordering the seizure of all merchant ships, including American, that entered British ports. There was no way to trade with either nation without facing the other's guns. American vessels were, quite literally, caught between the Devil and the deep blue sea.

Even more galling to American pride than the seizure of wooden ships was the seizure of flesh-and-blood American seamen. **Impressment**—the forcible enlistment of sailors—was a crude form of conscription that the British, among others, had employed for over four centuries. Clubs and stretchers (for men knocked unconscious) were standard equipment of press gangs from His Majesty's man-hungry ships. Some six thousand bona fide U.S. citizens were impressed by the "piratical man-stealers" of Britain from 1808 to 1811 alone. A number of these luckless souls died or were killed in His Majesty's service, leaving their kinfolk and friends bereaved and embittered.

Britain's determination was spectacularly highlighted in 1807, in what came to be known as the

**Chesapeake affair.** A royal frigate overhauled a U.S. frigate, the *Chesapeake*, about ten miles off the coast of Virginia. The British captain bluntly demanded the surrender of four alleged deserters. London had never claimed the right to seize sailors from a foreign warship, and the American commander, though totally unprepared to fight, refused the request. The British warship thereupon fired three devastating broadsides at close range, killing three Americans and wounding eighteen. Four deserters were dragged away, and the bloody hulk called the *Chesapeake* limped back to port.

Britain was clearly in the wrong, as the London Foreign Office admitted. But London's contrition availed little; a roar of national wrath went up from infuriated Americans. Jefferson, the peace lover, could easily have had war if he had wanted it.

## ★ The Hated Embargo

National honor would not permit a slavish submission to British and French mistreatment. Yet a large-scale foreign war was contrary to the settled policy of the new Republic—and in addition it would be futile. The navy was weak, thanks largely to Jefferson's antinavalism,



**The Prairie Dog Sickened at the Sting of the Hornet, 1806** In this anti-Jefferson satire criticizing his negotiations for the purchase of West Florida in 1804, Napoleon, in the form of a hornet, stings Jefferson and makes him "cough up" \$2 million in gold coins—the amount of the secret appropriation that Jefferson sought from Congress. The negotiations eventually failed.



**Launching of the Ship *Fame*, by George Ropes, Jr., 1802** Jefferson's embargo throttled thriving New England shipyards like this one, stirring bitter resentment.

and the army was even weaker. A disastrous defeat would not improve America's plight.

The warring nations in Europe depended heavily upon the United States for raw materials and foodstuffs. In his eager search for an alternative to war, Jefferson seized upon this essential fact. He reasoned that if America voluntarily cut off its exports, the offending powers would be forced to bow, hat in hand, and agree to respect its rights.

Responding to the presidential lash, Congress hastily passed the **Embargo Act** late in 1807. This rigorous law forbade the export of all goods from the United States, whether in American or foreign ships. More than just a compromise between submission and shooting, the embargo embodied Jefferson's idea of "peaceful coercion." If it worked, the embargo would vindicate the rights of neutral nations and point to a new way of conducting foreign affairs. If it failed, Jefferson feared the Republic would perish, subjugated to the European powers or sucked into their ferocious war.

The American economy staggered under the effect of the embargo long before Britain or France began to bend. Forests of dead masts gradually filled New England's once-bustling harbors; docks that had once rumbled were deserted (except for illegal trade); and soup kitchens cared for some of the hungry unemployed. Jeffersonian Republicans probably hurt the commerce of New England, which they avowedly were trying to protect, far more than Britain and France together were doing. Farmers of the South and West, the strongholds of Jefferson, suffered no less disastrously than New England. They were alarmed by the mounting piles of unexportable cotton, grain, and tobacco. Jefferson

seemed to be waging war on his fellow citizens rather than on the offending foreign powers.

An enormous illicit trade mushroomed in 1808, especially along the Canadian border, where bands of armed Americans on loaded rafts overawed or overpowered federal agents.irate citizens cynically transposed the letters of "Embargo" to read "O Grab Me," "Go Bar 'Em," and "Mobrage," while heartily cursing the "Dambargo."

Jefferson nonetheless induced Congress to pass iron-toothed enforcing legislation. It was so inquisitorial and tyrannical as to cause some Americans to think more kindly of George III, whom Jefferson had berated in the Declaration of Independence. One indignant New Hampshireite denounced the president with this ditty:

*Our ships all in motion,  
Once whiten'd the ocean; They sail'd and return'd with  
a Cargo;  
Now doom'd to decay  
They are fallen a prey, To Jefferson, worms, and  
EMBARGO.*

The embargo even had the effect of reviving the moribund Federalist party. Gaining new converts, its leaders hurled their nullification of the embargo into the teeth of the "Virginia lordlings" in Washington. In 1804 the discredited Federalists had polled only 14 electoral votes out of 176; in 1808, the embargo year, the figure rose to 47 out of 175. New England seethed with talk of secession, and Jefferson later admitted that he felt the foundations of government tremble under his feet.



*A Federalist circular in Massachusetts against the embargo cried out,*

“Let every man who holds the name of America dear to him, stretch forth his hands and put this accursed thing, this Embargo from him. Be resolute, act like sons of liberty, of God, and your country; nerve your arm with vengeance against the Despot [Jefferson] who would wrest the inestimable germ of your Independence from you—and you shall be Conquerors!!!”

An alarmed Congress, yielding to the storm of public anger, finally repealed the embargo on March 1, 1809, three days before Jefferson’s retirement. A half-loaf substitute was provided by the **Non-Intercourse Act**. This measure formally reopened trade with all the nations of the world, except the two most important, Britain and France. Though thus watered down, economic coercion continued to be the policy of the Jeffersonians from 1809 to 1812, when the nation finally plunged into war.

Why did the embargo, Jefferson’s most daring act of statesmanship, collapse after fifteen dismal months? First of all, he underestimated the bulldog determination of the British, as others have, and overestimated the dependence of both belligerents on America’s trade. Bumper grain crops blessed the British Isles during these years, and the revolutionary Latin American republics unexpectedly threw open their ports for compensating commerce. With most of Europe under his control, Napoleon could afford to tighten his belt and go without American trade. The French continued to seize American ships and steal their cargoes, while their emperor mocked the United States by claiming that he was simply helping them enforce the embargo.

More critically, perhaps, Jefferson miscalculated the unpopularity of such a self-crucifying weapon and the difficulty of enforcing it. The hated embargo was not continued long enough or tightly enough to achieve

*Rivals for the presidency, and for the soul of the young Republic, Thomas Jefferson and John Adams died on the same day—the Fourth of July, 1826—fifty years to the day after both men had signed the Declaration of Independence. Adams’s last words were*

“Thomas Jefferson still survives.”

*But he was wrong, for three hours earlier, Jefferson had drawn his last breath.*

the desired results—and a leaky embargo was perhaps more costly than none at all.

Curiously enough, New England plucked a new prosperity from the ugly jaws of the embargo. With shipping tied up and imported goods scarce, the resourceful Yankees reopened old factories and erected new ones. The real foundations of modern America’s industrial might were laid behind the protective wall of the embargo, followed by nonintercourse and the War of 1812. Jefferson, the avowed critic of factories, may have unwittingly done more for American manufacturing than Alexander Hamilton, industry’s outspoken friend.

## ★ Madison’s Gamble

Following Washington’s precedent, Jefferson left the presidency after two terms, happy to escape what he called the “splendid misery” of the highest office in the land. He strongly favored the nomination and election of a kindred spirit as his successor—his friend and fellow Virginian, the quiet, intellectual, and unassuming James Madison.

Madison took the presidential oath on March 4, 1809, as the awesome conflict in Europe was roaring to its climax. The scholarly Madison was small of stature, light of weight, bald of head, and weak of voice. Despite a distinguished career as a legislator, he was crippled as president by factions within his party and his cabinet. Unable to dominate Congress as Jefferson had done, Madison often found himself holding the bag for risky foreign policies not of his own making.

The Non-Intercourse Act of 1809—a watered-down version of Jefferson’s embargo aimed solely at Britain and France—was due to expire in 1810. To Madison’s dismay, Congress dismantled the embargo completely with a bargaining measure known as **Macon’s Bill No. 2**. While reopening American trade with all the world, Macon’s Bill dangled what Congress hoped was an attractive lure. If either Britain or France repealed its commercial restrictions, America would restore its embargo against the nonrepealing nation. To Madison the bill was a shameful capitulation. It practically admitted that the United States could not survive without one of the belligerents as a commercial ally, but it left determination of who that ally would be to the potentates of London and Paris.

The crafty Napoleon saw his chance. Since 1806 Britain had justified its Orders in Council as retaliation for Napoleon’s actions—implying, without promising outright, that trade restrictions would be lifted if the French decrees disappeared. Now the French held out the same half-promise. In August 1810 word came from Napoleon’s foreign minister that the French decrees



**Britain and France Divide Up the World, 1805** The great-power rivalry symbolized here by British prime minister William Pitt and French emperor Napoleon wreathed the planet in years of warfare. When it ended with Napoleon's final defeat in 1815, Britain was the unchallenged mistress of the world's oceans.

might be repealed if Britain also lifted its Orders in Council. The minister's message was deliberately ambiguous. Napoleon had no intention of permitting unrestricted trade between America and Britain. Rather, he hoped to maneuver the United States into resuming its embargo against the British, thus creating a partial blockade against his enemy that he would not have to raise a finger to enforce.

Madison knew better than to trust Napoleon, but he gambled that the threat of seeing the United States trade exclusively with France would lead the British to

repeal their restrictions—and vice versa. Closing his eyes to the emperor's obvious subterfuge, he accepted the French offer as evidence of repeal. The terms of Macon's Bill gave the British three months to live up to their implied promise by revoking the Orders in Council and reopening the Atlantic to neutral trade.

They did not. In firm control of the seas, London saw little need to bargain. As long as the war with Napoleon went on, they decided, America could trade exclusively with the British Empire—or with nobody at all. Madison's gamble failed. The president saw no choice but to reestablish the embargo against Britain alone—a decision that he knew meant the end of American neutrality and that he feared was the final step toward war.

*Insisted the editor of Niles' Weekly Register (June 27, 1812),*

“The injuries received from France do not lessen the enormity of those heaped upon us by *England*. . . . In this ‘straight betwixt two’ we had an unquestionable right to select our enemy. We have given the preference to *Great Britain* . . . on account of her more flagrant wrongs.”

## ★ Tecumseh and the Prophet

Not all of Madison's party was reluctant to fight. The complexion of the Twelfth Congress, which met late in 1811, differed markedly from that of its predecessor. Recent elections had swept away many of the older “submission men” and replaced them with young hotheads, many from the South and West. Dubbed **war hawks** by



**The Battle of the Thames, 1813** Here the Shawnee leader Tecumseh stood his ground against the superior American force and died. A gifted organizer and military chieftain, he had denounced the tribal custom of torturing prisoners and opposed the practice of allowing any one tribe to sell land that, he believed, belonged to all Indians.



Indiana Historical Society, KCT1106

their Federalist opponents, the newcomers were indeed on fire for a new war with the old enemy. The war hawks were weary of hearing how their fathers had “whipped” the British single-handedly, and they detested the manhandling of American sailors and the British Orders in Council that dammed the flow of American trade, especially western farm products headed for Europe.

Western war hawks also yearned to wipe out a renewed Indian threat to the pioneer settlers who were streaming into the trans-Allegheny wilderness. As this white flood washed through the green forests, more and more Indians were pushed toward the setting sun.

Two remarkable Shawnee brothers, Tecumseh and Tenskwatawa, known to non-Indians as “the Prophet,” concluded that the time had come to stem this onrushing tide. They began to weld together a far-flung confederacy of all the tribes east of the Mississippi,

*When the war hawks won control of the House of Representatives, they elevated to the Speakership thirty-four-year-old Henry Clay of Kentucky (1777–1852), the eloquent and magnetic “Harry of the West.” Clamoring for war, he thundered,*

“I prefer the troubled sea of war, demanded by the honor and independence of this country, with all its calamities and desolation, to the tranquil and putrescent pool of ignominious peace.”

*In a speech at Vincennes, Indiana Territory, Tecumseh (1768?–1813) said,*

“Sell a country! Why not sell the air, the clouds, and the great sea, as well as the earth? Did not the Great Spirit make them all for the use of his children?”

inspiring a vibrant movement of Indian unity and cultural renewal. Their followers gave up textile clothing for traditional buckskin garments. Their warriors forswore alcohol, the better to fight a last-ditch battle with the “paleface” invaders. Rejecting whites’ concept of “ownership,” Tecumseh urged his supporters never to cede land to whites unless all Indians agreed.

Meanwhile, frontiersmen and their war-hawk spokesmen in Congress became convinced that British “scalp buyers” in Canada were nourishing the Indians’ growing strength. In the fall of 1811, William Henry Harrison, governor of Indiana Territory, gathered an army and advanced on Tecumseh’s headquarters at the junction of the Wabash and Tippecanoe Rivers in present-day Indiana. Tecumseh was absent, recruiting supporters in the South, but the Prophet attacked Harrison’s army—foolishly, in Tecumseh’s eyes—with a small force of Shawnees. The Shawnees were routed and their settlement burned.

The **Battle of Tippecanoe** made Harrison a national hero. It also discredited the Prophet and drove Tecumseh into an alliance with the British. When America’s war with Britain came, Tecumseh fought fiercely for the redcoats until his death in 1813 at the Battle of the Thames. With him perished the dream of an Indian confederacy.

*William Henry Harrison (1773–1841), Indian fighter and later president, called Tecumseh*

“One of those uncommon geniuses who spring up occasionally to produce revolutions and overturn the established order of things. If it were not for the vicinity of the United States, he would perhaps be founder of an Empire that would rival in glory that of Mexico or Peru.”

## ★ Mr. Madison's War

By the spring of 1812, Madison believed war with Britain to be inevitable. The British arming of hostile Indians pushed him toward this decision, as did the whoops of the war hawks in his own party. People like Representative Felix Grundy of Tennessee, three of whose brothers had been killed in clashes with Indians, cried that there was only one way to remove the menace of the Indians: wipe out their Canadian base. "On to Canada, on to Canada" was the war hawks' chant. Southern expansionists, less vocal, cast a covetous eye on Florida, then weakly held by Britain's ally Spain.

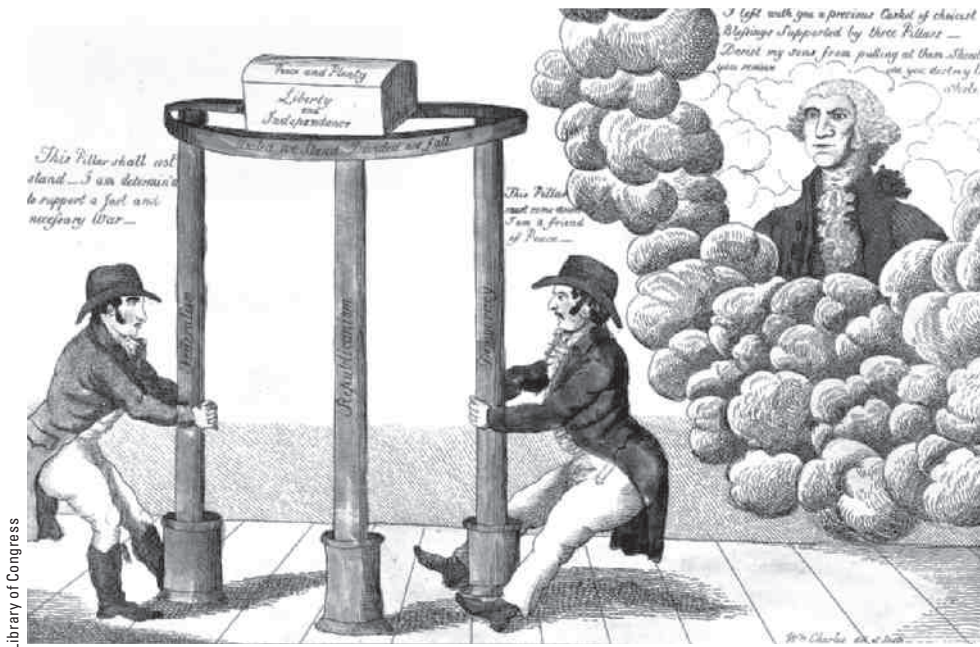
Above all, Madison turned to war to restore confidence in the republican experiment. For five years the Republicans had tried to steer between the warring European powers, to set a course between submission and battle. Theirs had been a noble vision, but it had brought them only international derision and internal strife. Madison and the Republicans came to believe that only a vigorous assertion of American rights could demonstrate the viability of American nationhood—and of democracy as a form of government. If America could not fight to protect itself, its experiment in republicanism would be discredited in the eyes of a scoffing world. One prominent Republican called the war a test "to determine whether the republican system adopted by the people is imbecile and transient, or whether it has force and duration worthy of the enterprise." Thus, not for the last time, did war fever and democratic idealism make common cause.

Madison asked Congress to declare war on June 1, 1812. Congress obliged him two weeks later—the first of just five times in all of American history that Congress has formally exercised its constitutional power to declare war (see Art. I, Sec. VIII, para. 11). The vote in the House was 79 to 49 for war, in the Senate 19 to 13. The close tally revealed deep divisions over the wisdom of fighting. The split was both sectional and partisan. Support for war came from the South and West, but also from Republicans in populous middle states such as Pennsylvania and Virginia. Federalists in both North and South damned the conflict, but their stronghold was New England, which greeted the declaration of war with muffled bells, flags at half-mast, and public fasting.

Why should seafaring New England oppose the war for a free sea? The answer is that pro-British Federalists in the Northeast sympathized with Britain and resented the Republicans' sympathy with Napoleon, whom they regarded as the "Corsican butcher" and the "anti-Christ of the age." The Federalists also opposed the acquisition of Canada, which would merely add more agrarian states from the wild Northwest. This, in turn, would increase the voting strength of the Jeffersonian Republicans.

The bitterness of New England Federalists against "Mr. Madison's War" led them to treason or near-treason. They were determined, wrote one Republican versifier,

*To rule the nation if they could,  
But see it damned if others should.*



**The Present State of Our Country** Partisan disunity over the War of 1812 threatened the nation's very existence. The prowar Jeffersonian at the left is attacking the pillar of federalism; the antiwar Federalist at the right is trying to pull down democracy. The spirit of Washington warns that the country's welfare depends on all three pillars, including republicanism.



New England gold holders probably lent more dollars to the British Exchequer than to the federal Treasury. Federalist farmers sent huge quantities of supplies and foodstuffs to Canada, enabling British armies to invade New York. New England governors stubbornly refused to permit their militias to serve outside their own states. In a sense America had to

fight two enemies simultaneously: old England and New England.

Thus perilously divided, the barely United States plunged into armed conflict against Britain, then the world's most powerful empire. No sober American could have much reasonable hope of victory, but by 1812 the Jeffersonian Republicans saw no other choice.

# Chapter Review

## KEY TERMS

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patronage (207)	impressment (216)
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## PEOPLE TO KNOW

Thomas Jefferson	William Clark
Sally Hemings	Sacajawea
Albert Gallatin	Aaron Burr
John Marshall	James Wilkinson
Samuel Chase	James Madison
Napoleon Bonaparte	Tecumseh
Robert R. Livingston	Tenskwatawa ("the Prophet")
Toussaint L'Ouverture	
Meriwether Lewis	

## CHRONOLOGY

<b>1791</b>	Toussaint L'Ouverture launches Haitian Revolution	<b>1805</b>	Peace treaty with Tripoli Battle of Trafalgar Battle of Austerlitz
<b>1800</b>	Jefferson defeats Adams for presidency	<b>1805–1807</b>	Pike's explorations
<b>1801</b>	Judiciary Act of 1801	<b>1806</b>	Burr treason trial
<b>1801–1805</b>	Naval war with Tripoli	<b>1807</b>	<i>Chesapeake</i> affair Embargo Act
<b>1802</b>	Revised naturalization law Judiciary Act of 1801 repealed	<b>1808</b>	Madison elected president
<b>1803</b>	<i>Marbury v. Madison</i> Louisiana Purchase	<b>1809</b>	Non-Intercourse Act replaces Embargo Act
<b>1804</b>	Haiti emerges as first independent black republic Jefferson reelected president Impeachment of Justice Chase	<b>1810</b>	Macon's Bill No. 2 Napoleon announces (falsely) repeal of blockade decrees Madison reestablishes nonimportation against Britain
<b>1804–1806</b>	Lewis and Clark expedition	<b>1811</b>	Battle of Tippecanoe
		<b>1812</b>	United States declares war on Britain

## TO LEARN MORE

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Stephen E. Ambrose, *Undaunted Courage* (1996)

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**A complete, annotated bibliography for this chapter—along with brief descriptions of the People to Know—may be found on the American Pageant website. The Key Terms are defined in a Glossary at the end of the text.**



Go to the CourseMate website at [www.cengagebrain.com](http://www.cengagebrain.com) for additional study tools and review materials—including audio and video clips—for this chapter.



## AP\* Review Questions for Chapter 11

1. What was the most decisive factor that helped Thomas Jefferson win the 1800 presidential election?
  - (A) His support of agrarian interests
  - (B) The three-fifths compromise
  - (C) New York's electoral votes
  - (D) Anger that Adams failed to declare war on France
  - (E) The Alien and Sedition Acts
2. Jefferson considered his election in 1800 a "revolution" because
  - (A) he won by a landslide.
  - (B) it represented a rejection of states' rights advocates.
  - (C) it marked a return to the values of 1776.
  - (D) it proved that American democracy worked.
  - (E) he advocated an end to partisanship.
3. In office, Jefferson surprisingly only eliminated which one of the following Federalist programs?
  - (A) Assumption of states' Revolutionary War debts
  - (B) The Bank of the United States
  - (C) The protective tariff
  - (D) Funding the national debt
  - (E) The excise tax
4. Which of the following is NOT true about the Judiciary Act of 1801?
  - (A) It resulted in the appointment of William Marbury to the Supreme Court.
  - (B) It created sixteen new federal judges.
  - (C) Jefferson and other Republicans condemned it as a Federalist court-packing scheme.
  - (D) It was repealed the following year.
  - (E) Adams used the act to appoint "midnight judges" on his last day in office.
5. The case of *Marbury v. Madison* (1803) is significant because it
  - (A) reinforced the importance of the Constitution as the bulwark of national law.
  - (B) gave the Supreme Court the authority to interpret the Constitution.
  - (C) said only states can determine the validity of federal laws.
  - (D) overturned the Judiciary Act of 1801.
  - (E) renewed the charter of the Bank of the United States.
6. What was the main reason Jefferson reduced the size of the military when he became president?
  - (A) He wanted to balance the budget.
  - (B) He believed that militaries could not be trusted.
  - (C) He regarded a large military as an unnecessary expense.
  - (D) He feared being pulled into European conflicts.
  - (E) He wanted the United States to be an example for the rest of the world through peaceful coercion.
7. Napoleon Bonaparte ultimately abandoned his vision of a New World empire and agreed to sell Louisiana to the United States for all of the following reasons EXCEPT that
  - (A) he failed to conquer Santo Domingo, a necessary first step.
  - (B) he feared that Britain, with control of the seas, would wrest control of Louisiana from the French.
  - (C) he hoped to prevent a U.S.-British alliance against France.
  - (D) he feared America might seize it militarily.
  - (E) he hoped the United States would become powerful enough to thwart Britain.
8. Which of the following can NOT be said about the Louisiana Purchase?
  - (A) It made U.S. isolationism possible.
  - (B) It required a constitutional amendment for the purchase to be completed.
  - (C) It set precedents for further expansion.
  - (D) It more than doubled the size of the United States.
  - (E) Its 828,000 square miles cost \$10 million.
9. Lewis and Clark's expeditions were primarily designed to
  - (A) be a scientific and geographic study of the Louisiana territory.
  - (B) explore opportunities for further conquest of territories held by Mexico and Spain.
  - (C) establish U.S. dominance over Indian populations in the region.
  - (D) forge trade links with French, Indian, and Spanish settlers in the region.
  - (E) search for gold and other valuable minerals.

10. Why did former vice president Aaron Burr challenge former treasury secretary Alexander Hamilton to a duel in 1804?
  - (A) Hamilton revealed Burr's plan to entice New England and New York to secede.
  - (B) Hamilton had accused Burr of corruption while in office.
  - (C) Burr discovered that Hamilton had tried to provoke war with France.
  - (D) Burr planned to reveal Hamilton's scheme to create a new confederacy from the new western territories.
  - (E) Hamilton had encouraged Jefferson to drop Burr from his cabinet during his second term in office.
11. In the years before the War of 1812, what was impressment?
  - (A) Blocking American ships from entering French and British ports
  - (B) The seizure of neutral ships by warring nations
  - (C) The capture and forced military service of American seamen by the British
  - (D) A prohibition on the export of American goods
  - (E) The resale of seized American goods by the warring nations of Britain and France
12. Jefferson's embargo strategy to get England and France to honor American neutrality in the years before the War of 1812 ultimately failed for all of the following reasons EXCEPT that he
  - (A) underestimated British resistance and determination.
  - (B) overestimated the importance of American goods overseas.
  - (C) did not consider that other countries would step in to fill England and France's import needs.
  - (D) did not foresee the massive nationwide protests by American citizens.
  - (E) did not factor in the difficulty of enforcing the embargo at home.
13. Which of the following was NOT among the forces that pushed President James Madison to war with Britain in 1812?
  - (A) England's arming of hostile Indians along the American frontier
  - (B) British reinforcement of its Orders in Council
  - (C) The rise to power of pro-war representatives in Congress
  - (D) The need to assert American nationhood and rights
  - (E) A desire to restore America's credibility on the world stage
14. The region that did NOT support the declaration of war against the British was
  - (A) New England.
  - (B) the South.
  - (C) the West.
  - (D) the middle Atlantic states.
  - (E) the Chesapeake.
15. Politicians' struggle to maintain and strengthen their parties' influence can best be seen in
  - (A) Jefferson allowing the Alien and Sedition Acts to expire during his administration.
  - (B) Adams's appointment of "midnight judges" at the end of his term.
  - (C) Marshall's establishment of judicial review in *Marbury v. Madison*.
  - (D) Aaron Burr challenging Alexander Hamilton to a duel.
  - (E) Jefferson's support for the Embargo Act in the era preceding the War of 1812.
16. Why was the War of 1812 a culmination of long-standing hostilities between the United States and Britain?
  - (A) Britain refused to acknowledge American independence despite the terms of the Treaty of Paris.
  - (B) The United States continued to persecute Loyalists who remained in the country, despite British protests.
  - (C) The British practices of impressment and supporting Native Americans against the United States were issues during Washington's presidency.
  - (D) Britain, adhering to mercantilist philosophy, refused to allow other European nations to trade with the United States.
  - (E) New Englanders' support for Britain was a divisive force in the United States.